Recd 8 Sept. 50

No. 1. Original.

S. H. D. (a-6)

875.108/47
3-3050

Legation of the United States, Canton, 21. June 1850.

Hon: John M. Clayton
Secretary of State.

Sir.

I have the honor to address you and to transmit a copy of a note of Hon: Jno. W. Davis, transferring to me as Chargé d'Affaires, ad interim, the Seals and Archives of this Legation, and also to enclose a copy of my formal official note acknowledging the same.

What policy the Government of Portugal designs to pursue in China, and the result of the despatch of H. B. M's war Steamer "Reynard" to the mouth of the Peiho are subjects of paramount interest here at the present moment.

Commodore Pedro Alexandrino da Cunha, Successor of the late Governor Amaral, arrived in the Portuguese (20 gun) Frigate "Don João 1°" on the 26th ultimo, and landed

at Macao on the 28th ult. Since that date two (18 gun) Corvets have arrived, the three vessels carrying from 500 to 600 men, and 200 troops for the Colony. His Excellency the Governor has maintained silence as to the measures he proposes to adopt, and the various rumors contained in the local papers are probably unfounded. To the best of my information he has not yet entered into correspondence with the Chinese Government, and to a deputation of inferior officers sent from this city by the Imperial Commissioner he declined an audience. I have heard indirectly His Excellency has intimated an intention of proceeding to Peking in the event of his demands upon the Chinese Government (whatever they may be) not being acceded to here.

Governor Bonham proceeded to Shanghai in the "Lady May Wood" on the 27th ult. and the "Reynard" sailed twenty days previous not having reached that port, arrangements

were made with the Taotai at Shanghai who permitted to transmit the duplicate of the despatch of the British Government to the Capital overland. The "Reynard" at length arrived at Shanghai & proceeded to the Peiho to receive the answer. When the Taotai learned the Original despatch had gone forward by the mouth over he is said to have been much embarrassed, it being believed he had not fulfilled his promise in respect to the despatch he received. When the "Lady Mary Wood" left Shanghai the "Reynard" had been absent nineteen days and rumors were rife respecting her - such as that she had been wrecked, - had been taken by the Chinese, - that the local authorities declined to receive her despatch contending it should be returned to Canton to the Imperial Commissioner who had been especially appointed to attend to foreign affairs, and the like reports. However, in consequence of the position of the case Governor Bonham did not return as he intended and is still waiting

further information. The rumor that the dispatch was referred to Canton is not improbable.

This measure contemplated by the British Government is an important one and the issue is looked forward to with interest. It has been intimated that among other things the question of entering the city & the treatment of the British Consul, Dr. Bowring are touched in the dispatch but of the correctness of this I have no positive evidence. The impropriety of preferring a complaint against an Imperial Commissioner to the Court through Viceroy, was brought to the notice of this Government by the Hon: C. Cushing when insisting upon a treaty stipulation for direct correspondence with the Court of Pekin.

A Courier arrived at Canton from the Capital, travelling at the maximum speed, day before yesterday. The affairs of Macao, & the "Reynard", either or both, may have been the occasion.

It is reported from Shanghai that stringent measures are being adopted

adopted as pitting against the use of Opium, that several decapitations had taken place, and several Junks that came to Canton before proceeded to Shantung with the Army had returned to Wooseng not being permitted to discharge the article. It is also stated by the Chinese in Canton that the Emperor is most resolute in his determination to exclude the use of it from the Palace, & that having effected reform there he will next take measures to exterminate the evil as it exists among the officers of his government, I conclude with the public.

Contrary to an impression that obtained respecting Hien Fung on his accession to the throne, letters from the north allude to the manifestations of an illiberal policy towards foreigners on the part of His Majesty, and here in the South it is said that he is dissatisfied with the treaties into which China has entered of late with Western governments, and con-

consequently is imposed towards Tchingking and others who took an active part in these negotiations. It is not difficult to conceive that in his inexperience, coming from the study of history, in which every thing ancient is extolled, and at his assuming the reins of government, he may deprecate the innovations of the last ten years of his Father's reign, ignorant, to some extent, that to what he deplores is the consequence of necessity and not of choice, and should he decline to avail himself of the clear sighted wisdom of his Ministers, who are also his Seniors, such as Tchingking, Tchesshen, and Mien Changuen, he may sooner or later dedicate his own folly. One thing is certain, — His Majesty takes the helm of Empire at a period when talents of the highest order are required on the part of Ministers and Observing.

It will be my endeavour to discharge, with prudence and fidelity, the duties of the Legations while they

left upon me. The main subject of a Cemetery is not lost sight of, but there exists an objection for just passing a little the assumptions of Correspondence respecting it with the Financial Commissioner.

Please present my distinguished regards to the President.

I have the honor to be, Sir,
with sentiments of respect
and high consideration,

Your Obedient Servant,

Peter Porter.

Mr. D. Parker's No. 1.

No. 1.

Legation of U. S. to China.
May 25th 1850.

Sir.

Having obtained the President's permission to return to the United States, and being about to embark on my journey; I hereby in virtue of certain instructions received from the Hon.ble John. M. Clayton, Secretary of State transfer to you as Chargé d'Affaires ad interim, of the United States, the seals & archives of this Legation.

You are too well acquainted with the duties of the Station to require any instructions from me, and I can only state the entire confidence that is reposed in your zeal and ability, to promote & secure the honor & interest of the Government of the United States, and its citizens in China.

With sincere wishes for your good health, and for your prosperity both public & private.

I remain Very Respectfully
Your Obd.t Ser.t

Rev.d D.r Parker (Signed) Jno. W. Davis.

No 2.

Canton 22nd May 1850.

Dear Sir.

I cannot allow you to leave China, without reciprocating the kind sentiments contained in your favor received yesterday.

You speak of the "confidence reposed in my zeal & ability to secure the honor and interests of the Government of the United States and its citizens in China." Whatever may be my ability, I may be allowed to say, that to promote the interest & honor of both the Government and citizens of the United States, and at the same time to seek the highest good of the Government and People of China, (two aims perfectly compatible with each other,) has been the only motive for accepting the trust reposed in me by my Government, and only while the reasonable expectation & hope of attaining these

Hon: John W. Davis.
&c &c &c

paramount ends remain, can I de-
sire to retain it.

Voluntarily resigning the high
responsibilities imposed upon you
by your Government abroad, you
are on the eve of returning to the
arena of public & political life
at home. It doubtless has occur-
red to you, that you do so at a
juncture, or crisis, in the history
of our Government, that no patriot
can contemplate with ordinary
interest. You may regard me
as presuming in the sentiments
I am about to express, yet I will
not refrain from expressing the
hope that in the part, (and an
important part I trust), you are
to take in the affairs of State
hereafter, more party aims will
be submerged by you in fidelity
and zeal for the public weal, and
that you will never fail to lift-
up you distinct voice with those
whose Motto is Union, one and
inseperable, Union hitherto,

Union still, and Union forever,
and at all sacrifices.

With cordial reciprocity of
your kind wishes for my health
and for my prosperity both public
and private, and (my best desires)
that you may return to your Go-
vernment & the bosom of your friends
and family, realizing every rea-
sonable anticipation,

I remain very respectfully
and sincerely your friend

Peter Carter.

Recd 12 Oct.

No. 2. Original.

Legation of the United States, Canton, 19th July 1840

Hon: John M. Clayton.
Secretary of State.

Sir.

I have the honor to transmit you herewith a translation of a Petition (Vide Enclosure No. 1.) of the Old Hong Merchants Howqua and others which has been acceded to by the local authorities sanctioning the Establishment of Ten Warehouses, and levying a tax of two mace (= 28 cents) per picul on all teas exported. The specific object of this tax is to liquidate a debt due from the Hong merchants to the Imperial treasury, which obligation of about $3.000.000 was assumed on the occasion of ransoming the city of Canton 4th March 1840.

This measure has been undertaken without the concurrence of foreign Governments.

Having obtained a copy of the Chinese document I was satisfied of its genuineness and of the determination of this Government early to carry the measure into effect. I therefore deemed it my duty as the representative of the government of the United States to inquire into the subject, and as a preliminary step, first to obtain the government acknowledgement, or denial, of the authenticity of the paper. Accordingly I addressed His Excellency the Imperial Commissioner (Vide S.O. 2) enclosing a copy of the Petition and requesting the desired information. The same day, having been repeatedly solicited by Merchants of the United States for information upon the subject which had already awakened considerable interest in Canton, I addressed them a Circular (Vide No. 3) to which a translation of the Petition and Regulations last appended, requesting an

of putting of their views respecting them.

"The reply of the Imperial Commissioner to my note I was compelled to return without delay for reasons set forth in my communication (Vide No. 4.). It bore the desired effect, and upon the 13th inst., a corrected copy of his communication of the 11th inst., now dated 13th inst., was received (V. No. 5), in which His Excellency returns to the style of address formerly employed by Shêng and indicates by himself as succeeding to his present office.

In this communication the Imperial Commissioner acknowledges the Establishment of Free Warehouses & the levying of a commission (or tax) of two mace per picul of tea, and avows the sole object of the tax to be to enable the Old Hongmerchants to repay the money they had borrowed from the Imperial treasury.

He does not allude to any other end, although in the 8th Article of the Regulations they are declared to have been established with a "primary view to maintain a surveillance over the "tea trade and thus to guard "against smuggling and other "like evils." His Excellency also asserts that the arrangement "in no way affects the Chinese or Foreign merchant," but this does not appear.

A translation of His Excellency's despatch was immediately circulated for the information of our merchants (Vide No. 6.) and the attention of R. B. Forbes Esq. U. S. Consul, who has been absent from the city, was invited to the subject. (Vide Nos. 7 & 8.) Enclosures Nos. 9 to 14 are answers to my Circulars from the merchants, so far as they have been received. Others are still expected.

My object in this dispatch is to furnish the Department with a simple statement of the case and the steps that have thus far been taken, reserving a full discussion of the points to a future time. There is no occasion for precipitancy. Every day reveals new light upon the subject. I propose to take the clear and safe ground of the Treaty, that that must be adhered to, and any and every infraction of it will be dispassionately but firmly protested.

From the tenor of the several communications addressed the Legations by the Japanese, you will perceive that the bearing of the new system upon the Convention and Treaty of the United States, is not divested of doubt and uncertainty in their minds. The British

monopoly, and the English government, so far as I am informed, with great unanimity regard the Tea Warehousing system in the light of a new monopoly, and the two Houses an additional duty upon tea.

It is about a year that the Chinese have been occupied in maturing the measure; in the mean time the subject has been brought to the notice of Lord Palmerston who has acceded to it before Parliament, and expressed a determination on the part of his government to support it.

I have the honor to remain, with sentiments of respect and high consideration, Sir,

Your most Obt. Servt

Peter Parker.

No. 2.

Canton 22nd May 1850

Dear Sir.

I cannot allow you to leave China without reciprocating the kind sentiments contained in your favor received yesterday.

You speak of the "confidence reposed in my zeal & ability to secure the honor and interest of the Government of the United States & its citizens in China" Whatever may be my ability, I may be allowed to say, that to promote the "interest & honor of both the Government and citizens of the United States and at the same time to seek the highest good of the Government and people of China (two aims perfectly compatible with each other) has been the only motive for accepting the trust reposed in me by my Government, and only while the reasonable expectation & hope of attaining these paramount ends remain, can I desire to retain it.

Hon: John W. Davis

&c. &c. &c.

Voluntarily assigning the high responsibilities imposed upon you by your Government abroad, you are on the eve of returning to the arena of public & political life at home. It doubtless has occurred to you that you do so at a juncture, a crisis, in the history of our Government, that no patriot can contemplate with ordinary interest. You may regard me as presuming in the sentiments I am about to express, yet I will not refrain from expressing the hope that in the part (and an important part I trust) you are to take in the affairs of State hereafter, mere party aims will be submerged by you in fidelity & zeal for the public weal, and that you will never fail to lift up your distinct voice with those whose motto is Union, one and inseparable, Union hitherto, Union still, and Union forever, and at all sacrifices.

With cordial reciprocity of your kind wishes for my health, and for my prosperity both public & private,

and (my best desires) that you may return to your Government, and the bosom of your friends & family, realizing every reasonable anticipation.

I remain very respectfully and sincerely your friend

(Signed) P. Parker.

No. 1. D.

PETITION OF THE OLD HONG-MERCHANTS, HOWQUA AND OTHERS.

Granted to establish Tea Warehouses, and Regulations for Levying Expenses.

Fung, district magistrate of Nánhái, and Shau, district magistrate of Pwányü, &c., &c., &c., issue their perspicuous proclamation:—

Whereas, the former hong-merchants, Howqua and others, on account of the abolition by Government [of the old co-hong], having caused the tea trade to be diffused and unsettled, so that there is no fixed point for the public items, having petitioned requesting the establishing of warehouses, and levying expenses for the convenience of maintaining a supervision of the tea trade, and the liquidation of their old obligations to the imperial treasury, we have had the honor to receive the reply of the Governor-General, directing deliberations to be held upon the subject, and after joint deliberation thereon, held at the time, we reported to His Excellency the result, who in reply directed that we should enjoin upon the warehouses to conform thereto.

Now, it appears that the said tea warehouses, being without precedent, the proprietors invited all the tea merchants to meet and deliberate upon regulations by which to conduct them, and they (members of the tea warehouses) have come before us with their petition to allow them to fill the station.

Besides complying with their request, and reporting the same to all (the high officers whom it concerns, as H. E. the Governor-General, the Governor, Superintendant of Customs, Commissary of Grain, and the Prefect), that the same might be entered upon the archives, and issuing our licenses to the said warehouse firms, and enjoining upon them to act accordingly; we also, sincerely apprehending that the tea merchants, and houses engaged in foreign traffic, are not yet fully and universally informed upon the subject, as it behooves us to issue a luminous Proclamation to this end, we do proclaim to the tea merchants of the different provinces, and to firms engaged in foreign trade, for their full information, that hereafter when teas arrive at Canton, and when the dealers with foreigners purchase these teas, it is absolutely necessary that they each conform to the following Regulations. Let there be no opposition. Special proclamation.

REGULATIONS.

1. Every merchant on bringing his teas (to Canton) must store them in the government warehouses, and these having been clearly examined, and their marks and number of chests ascertained at the official warehouses, the proprietors of the warehouse must immediately repair to the Consoo of the old hong-merchants, and distinctly and minutely report the same. Having settled for the sale, on the day of weighing them, they must immediately report to what dealers in foreign trade they are sold, and separately report the marks, number of packages, and weight of the teas disposed of. If any of the said tea merchants having stored teas in the government warehouses, should remove them to another place, this also must be reported in order to clear investigation and management thereof.

2. As to the discount for difference of weight and value of moneys employed in transactions between the tea warehouses and the dealers in foreign goods, of late years every hundred taels by the tea scales has been discounted at a difference oe five taels and odd by the government scales. Now it has been decided, after deliberation, that in future, there shall b- universal conformity to the precedent of the old co-hong, that the discount between tea scales and those of the new treasury scales, shall be two taels per hundred taels (i. e. 100 taels by tea money weight will be reckoned 98 taels new treasury standard), and only 20 taels in the hundred can consist of broken (or "chopped") money, and should there be no broken money, then there will be a further deduction, but not exceeding one tael (for each hundred taels). The tea merchants obtaining this compensatory discount in their favor, will possess a very great advantage in [receiving] their tea money, and it is right according to this regulation to deduct *two mace* for every pecul of tea, to compensate the warehouse proprictor, and by him to be delivered to the Consoo of the old hong-merchants, and by them delivered over to the government treasury.

3. Warehouses for black and green teas (from other provinces), and for the Tsingyuen teas (of Canton), have been opened for many years, incurring the cost of lodging the merchants, storing teas, rent of warehouses, and various items of porterage and other requisite expenses, and in future, according to the rule hitherto existing, black teas will pay a commission of five mace per pecul, and green and native Tsingyuen teas will pay a commission according to the old regulations respecting them. (?)

4. If a tea merchant rent a place of residence for himself and for storing his teas, or if the hong-merchants manage for their own chops, (i. e. send their partners or agents to the tea country, and purchase their teas) each must accordingly repair to the official warehouses and report the number of chests, and through the official warehouses communicate the same to the Consoo of the old hong-merchants. On selling the teas, the said government warehouses, shall deduct a commission of three mace (per pecul), but if said tea merchant employs another warehouse to sell his teas for him, then the said superintending official warehouse shall receive a commission of only five candareens, and there must be no dispute upon the point. The dealer in foreign trade also must have the evidence of the official warehouse certificate (that the teas have been deposited in government warehouses), before he will be allowed to purchase them, and if he do not possess such certificate he will be considered as smuggling the teas.

5. When one licensed warehouse shall sell the teas of another of the same class, it is provided clearly, that for black teas, it shall receive a commission of five candareens per pecul to recompense it for its trouble, and the remaining 4 mace 5 candareens shall revert to the original warehouse to compensate its trouble. In respect to green and native Tsingyuen teas, there will be a division between the two parties, according to the respective commission on each, and they will be managed in the same manner as black teas. As to the deduction of two mace per pecul of teas, to make up the deficiency in the public items, it must be done according to the original petition of the old hong-merchants, viz, the weight must be reckoned as at the time of sale, allowing a deduction of ten per cent (tare). And on paying the money, the weight is to be according to the treasurer's scale, and not of the tea scales, so as to pay less.

6. When chests of tea are furnished as samples to the dealer with foreigners, five catties from a chest is the standard which he is allowed to take out as a muster; should he exceed this, he must pay the tea-merchant for the excess, according to the value of the tea, and can not refuse it.

7. Persons having undertaken the warehouse business, subsequently desiring to go into other occupations, will be permitted to report the same and retire, delivering their licenses back to the old hong-merchants to be handed over to government and cancelled.

8. These regulations are established with a primary view to maintain a surveillance over the tea trade, and thus to guard against smuggling and other like evils: if any do not conform to them, then, by the tea warehouses, they are to be reported to the authorities, to be prosecuted and punished.

9. As to the deduction of two mace to repay the money from the imperial treasury, the responsibility is fixed upon the dealers in foreign trade who purchase the teas, who, upon the day of weighing and delivering the teas, are immediately to take this money, and deliver it over to the tea warehouses, to be transferred by them to the Consoo of the old hong-merchants, and by them paid into the treasury, in order to show the importance of imperial treasury items.

Táukwang, 30th year, 4th moon, 29th day. (June 9th, 1850.)

A faithful translation,
PETER PARKER.

No. 1.

With Sr. Parker's No. 2, 4/19 July '50.

Petition of the Old Hong Merchants Howqua & others granted to establish Sea Ware Houses & regulations for levying expences.

Tsung District Magistrate of Nan Hai & Shun District Magistrate of Pwan Yu &c &c &c issue their perspicuous proclamation

Whereas the former Hong Merchants Howqua & others on account of the abolition by Government (of the old Cohong) having caused the Sea Trade to be diffused and unsettled so that there is no fixed points for the public items having petitioned requesting the establishing of Ware Houses & levying expences for the convenience of maintaining a supervision of the tea trade & the liquidation of their old obligations to the Imperial Treasury. We have had the honour to receive the reply of the Governor General directing deliberations to be held upon the subject and after joint deliberation thereon held at the time we reported to his Excellency the result. who in reply directed that we should enjoin

upon the Ware Houses to conform thereto

Now it appear that the said Sea Warehouses being without proceeded with the proprietors invited all the Sea Merchants to meet & deliberate upon regulations by which to conduct their & they (members of Sea Ware Houses) have come before us with their petition to allow them to give the Salion

Besides complying with their request and reporting the same to all (the Civil Officers whom it concerns as his Excellency the Governor General, Civil Governor, Superintendant of Customs Commissary of Grain & the Prefect) that the same might be entered upon the Archives, & issuing our licences to the said Ware houses Farmers and) enjoining upon them to act accordingly we also sincerely apprehending that the Sea Merchants & Owners engaged in foreign traffic are not yet fully and universally informed upon the subject as it behoves us to give a Commission proclamation to this end. we do proclaim to the Sea Merchants of the different provinces &

to firms engaged in foreign trade for their full information such Hoppo when was arriving at Canton and when the dealers with foreigners purchase their teas. it is absolutely necessary that they each conform to the following Regulations.

Let there be no opposition. Special Proclamation

Regulations

1. Every merchants on bringing his teas (to Canton) must store them in the Government Ware Houses & there having been clearly examined & their quantity numbers of chests ascertained. at the Official Ware Houses the proportions of the Ware Houses must immediately repair to the Houses of the Old Hong Merchants & distinctly & minutely report the same. Having settled for the sale on the day of weighing them. they must immediately report to which dealers in foreign trade they are sold & separately report the quantity numbers of packages. and weight of the teas disposed of. If any of the said Hong Merchants having stored teas in the Government Ware Houses should remove them to another

places. this also must be reported in order to clear investigation and management thereof.

2° As to the Discounts for differences of weights & value of monies employed in transactions between the Tea Ware Houses and the dealers in foreign goods. of late years every Hundred taels by the tea scales. has been discounted at a difference of five taels. and odd by the Government scales. Now it has been decided after deliberation that in future there shall be conformity to the precedent of the old Ordinary. that the Discounts between the tea scales & those of the New Treasury scales. shall be two taels per hundred taels (i.e. 100 taels by the tea money weights will be reckoned 98 taels New treasury standard) and only 20 taels in the hundred can consist of broken (or "chopped") money. and should there be no broken money then there will be a further deduction of but not exceeding one Tael (for each hundred taels)

The Tea Merchants obtaining this compensatory discount in their favor. will possess a very great advantage in (accounts) their tea money. & it is right according to

the regulations to deduct two mace for every pecul of tea. to compensate the Ware House for reception. & by him to be delivered to the Comrs of the Old Hong Merchants and by their deliveries over to the Comrs of Treasury.

3.dly Ware Houses for Black & Green Teas (from other provinces) & for the Bohea Hong teas (of Canton) have been opened for many years incurring the cost of lodging the merchants storing teas rent of Ware Houses and various items of porterage & other requisite expenses & in future according to the rule hitherto existing Black teas will pay a commission of 5 mace per pecul & green & native Bohea Hong teas will pay a commission according to the old regulations respecting them (?)

4.ly If a tea merchants rent a place of residence for himself & for storing his teas or if the Hong merchants manage for their own chops (i.e. send their partners or agents to the tea country and purchase their teas) each must accordingly repair to the Official Ware House & report the number of chests & tenure the Officials

Ware Houses communicate the same to the Comrs of the Old & Comy Merchants.

On selling the 1st the said Government Warehouses shall deduct a commissary of 3 mace per pecul. but if said Co Merchants employ another ware house & sell the teas for him then the said superintending Official Ware House shall receive a commission of only five candareens & there must be no dispute upon the points.

The dealer in foreign trade teas must have the evidence of the Official Ware House artificially that the teas have been deposited in Government Ware Houses. before he will be allowed to purchase them. & if he do not possess such certificate he will be considered as smuggling the teas.

5th. When an Licensed Ware House shall sell the teas of another of the same class. it is provided clearly that for Black teas. it shall receive a commission of 5 Candareens per pecul. to recompense it for its trouble. & the remaining 4 mace 5 Candareens shall remain to the original ware houses to defray its trouble. for respect to green & mixture doing Green teas. there will be a division between the two parties according to the respective

commissions on each and they will be managed in the same manner as Hong teas. As to the deduction of 2 mace per picul of teas to make up the deficiency in the Public items it must be done according to the original petitions of the old Hong Merchants. Viz the weights must be reckoned as at the time of sale allowing a deduction of ten per cents (tare) And on paying the money the weight is to be according to the Treasurers scales & not of the tea sale or as to pay fees.

6th When chests of tea are furnished as samples to the dealer with foreigners & Cattles from a chests is the standard which he is allowed to take out as a muster. Should he exceed this he must pay the tea merchants for the excess according to the value of the tea & cumsha refuse it.

7th Persons having undertaken the Ward Comm business subsequently desiring to go into other occupations will be permitted to resign his name & return delivering their Licenses back to the old Hong Merchants to be handed over to Government and Cancelled

8ly There regulations are established with a permanent view to maintain a surveillance over the tea trade and thus to guard against smuggling & other like evils: If any do not conform to them then by the Regulations Hong are to be reported to the authorities to be prosecuted & punished. As to the deduction of 2 mace to repay the money from the Imperial Treasury the responsibility is fixed upon the dealers in foreign trade who purchase the teas. who upon the day of weighing and delivering the teas are immediately to take this money and deliver it over to the Hong Ware Houses to be transferred by them to the Consoo of the Old Hong Merchants and by them paid into the treasury in order to show the importance of Imperial Treasury items

Taou Kwang 30 year 11 Mon 29th day

June 9th 1850

No. 2.

Legation of the United States
Canton 9th July 1850

Sir.

The undersigned charge d'affaires ad interim of the United States of America to China has the honour to inform your Excellency that it is reported that Mr. Olive & Comp Merchants of Comqua and others have immorialized the government and that their petition has been granted to Establish Regulations for a system for detecting a commission from the Sea Trade and that a proclamation to that effect has been issued by the two Districts magistrates the Hau Hae & Loan. &c.

As believes him the undersigned, now addresses your Excellency requesting you will clearly examine this subject and in reply inform him of the facts of the case. A copy of the above mentioned proclamation is herewith forwarded for your Excellency's perusal.

The undersigned avails himself of this occasion to present your Excellency his compliments and has the honour

to remain with sentiments of high consideration

Your Obt Servt

To

His Excellency Peter Parker.

&c. &c. &c.

(L. S.)

No. 3.

Legation of the United States
Canton, 9th July 1850.

Gentlemen.

The Undersigned Chargé d'Affaires, ad interim, of the United States of America to China, has the honor to communicate for the information of the Merchants of the United States in Canton, the accompanying translation of a Document purporting to have emanated from the Chinese Government, establishing Official Ware Houses for teas and the Regulations thereof.

The Undersigned will be happy to receive from the Merchants of the United States in Canton, whom the Ware Houses particularly concern, an expression of the views they may each entertain respecting them.

The Undersigned has the honor to remain, Gentlemen,

Your Most Obt. Servant.

Peter Parker

To)

Messrs Russel & Co.
" Wilmore & Co.
" Oliphant & Co.
" Tye Parkin & Co.
" J. Heard & Co.
" Sword Purdon & Co.
" George Perkins Esq.
Wm. Buckler Esq.
W. O. Comstock Esq.
W. D. Lewis Esq.
and others.



No. 4.

Legation of the United States
Canton 11th July 1850

Sir.

The undersigned Chargé d'affaires ad interim of the United States of America to China has just received your Excellency's dispatch of this date in reply to one he had the honor to address your Excellency on the 9th inst. and on opening it immediately perceived that the address upon the envelope & upon the enclosed communication do not correspond. and moreover that in the document itself the term "Hon Secretary of Legation" is used, which is not in accordance with the facts of the case. for the undersigned addressed your Excellency solely in the quality of Commissioner than of Secretary of Legation. He must he presumes to be silenced, for on former occasions both your Excellency and your Excellency's predecessor the Imperial Commissioner Keying never employed this style of address.

The undersigned is well aware that it is the usage of your Hon Government in public correspondence in replying to a despatch rigidly to adhere the titles impo-

loyed in the original communications. there can be no doubt therefore, that the departure from that rule in the present instance is the fault of the clerk. for the cordiality of your Excellency hitherto and the good understanding between the two nations, precludes any other supposition. therefore no time is lost in returning the dispatch with the request. your Excellency will cause the same to be corrected.

A former communication both of your Excellency & of the Imperial Commissioners (keying as enclosed) for your Excellency's inspection, which please return with the corrected despatch.

The undersigned Chargé Affaires avails himself of the occasion to present his compliments and has the honor to remain

Your Obt. Servt.

His Excellency Peter Parker
&c &c Imperial Commissioner

(L.S.)

No. 5.

Lew Kwang Lein, Hereditary Lord of the first grade, Governor General of the two Kwang Provinces, ex officio a President of the Board of War, Minister & Commissioner, of the Ta Tsing Empire, has the honor to acknowledge the receipt of the Honorable Commissioner's despatch making inquiries relative to the subject of the Establishment of Tea Ware Houses and levying Commissions, by the Old Hong Merchants, which he has perused & fully understands.

It appears on Examination that the Old Hong Merchants, inasmuch as they were in debt for money borrowed from the public item (i.e. the Government Treasury), and were without the means of repaying it, after deliberation decided, from the Tea Ware Houses Old Hong Commission of five mace, to deduct two mace, in order to liquidate their debt:— (an arrangement) which in no way whatever concerns either the Chinese or Foreign Merchants. These

fore, during the last year, they memorializ'd the Government on the subject, & were authorized) to manage accordingly.

Now, the two District Magistrates, the Nan Hae & Pwan Yè, according to the publickly adopted Regulations of all the Sea Ware Houses, have issued a perspicuous Proclamation, that all both far & near, universally, may understand them, & adhere to the same forever.

It requisite I make this reply and avail myself of the occasion to present you my compliments & wishes for your health & happiness.

The two original Despatches are herewith returned.

The foregoing Communication is addressed to Peter Parker, Chargè de Affaires, ad interim, of the United States of America to China.

Tao Kwang 30th year 6 mo. 3th day.

13th July 1850.

No. 6.

Legation of the United States
Canton, 13th July 1850

To the Merchants of the
United States in Canton

Sirs

I have the honour to communicate for your information the accompanying note of this date from the Imperial Commissioners acknowledging the Establishment of Government Hong Merchants and the Regulations by which they are to be conducted and stating the ostensible object to be to provide means in a manner in his Excellency's opinion in no way concerning the Chinese or Foreign Merchants for the liquidation of a debt due from the old Hong Merchants to the Imperial Treasury.

An expression of your concurrence or non-concurrence in that opinion and of your approbation or disapproval of this approximation to the abolished Cohong system; so far as the staple of tea is concerned, will receive due consideration.

I have the honour to

remain Sir.

With great respect

Your most Ob.t Serv.t

Peter Parker.

Messrs Russell & Co

do Kidwell & Co

do Olyphant & Co

do Wm Jardine & Co

do A. Heard & Co

do Sturgis Jardine & Co.

George Perkins Esq

Wm Buckley Esq

W. C. Cornelius Esq

W. D. Lyons Esq

& Others

No. 7.

Legation of the United States,
Canton 13th July 1850.

To R. B. Forbes Esq.
Vice Consul of the
United States, Canton.

Dear Sir.

I avail myself of the earliest convenient opportunity on your return to this city, to request your attention to the accompanying Document, now acknowledged by his Excellency the Imperial Commissioner to be authentic, relative to the Establishment of Government Sea Warehouses, and the levying of a Commission for the liquidation of a debt due by the Old Hong merchants to the Chinese Government.

The expression of the views you may entertain of the entire subject in all its bearings when the Commercial Treaty of the United States, will much oblige Dear Sir, Your most obt. Servt.

Peter Parker.

remain Sir.

With great respect

Your most Obd.t Servt

Peter Parker.

Messrs Russell & Co

do Delmonico & Co

do Olyphant & Co

do Wyckoff Sanford & Co

do A. Hearn & Co

do Edward Jardon & Co.

George Perkins Esqr

Wm Pinckney Esqr

W. C. Comstock Esqr

W. D. Lewis Esqr

& Others

No. 7.

Legation of the United States,
Canton 13th July 1850.

To R. B. Forbes Esq.
Vice Consul of the
United States, Canton.

Dear Sir.

I avail myself of the earliest convenient opportunity on your return to this city, to request your attention to the accompanying Document, now acknowledged by his Excellency the Imperial Commissioner to be authentic, relative to the Establishment of Government Sea Watchhouses, and the keeping of a Commission for the liquidation of a debt due by the Old Hong merchants to the Chinese Government.

The expression of the views you, as United States Consul, may entertain of the entire subject in all its bearings upon the Commercial Treaty of the United States, will much oblige

Dear Sir, Your most obt. Servt

Peter Parker.

No. 8.

Canton July 13th 1800

Sir

I beg leave to acknowledge receipt of your communication of this date, covering a translation of the new edict relating to Sea Warehouses to be established under the authority of the local government, & also relating to the levying of a charge to be paid by the Chinese Sea dealers of two mace one & a half per picul on all Teas exported. said new charge being exacted on the part of the Government professedly for the purpose of enabling the Merchants to pay off an old debt due by the former Hong Merchants to the Imperial Treasury.

I take note that you wish me to give my views on the subject as Vice Consul of the United States. I have to say - that it appears to me that the establishment of Warehouses for the purpose of keeping up a surveillance over the Sea trade, is a measure with which foreigners have nothing to do. As to the levying of two mace per picul for the purposes indicated, I can find no warrant in the Treaty between our Government & China. If said charge were to be

used by the Government for the purpose of paying the Expenses of the Warehouse I should think it was a matter with which we have nothing to do.

I am &c &c

Copy

Respectfully

Your Servant

R. B. Forbes

Vice Consul

Dr Peter Parker

Chargé d'affaires

ad interim &c &c

(Duplicate).

No. 9 (Copy)

Canton 9th July 1850

Sir

In reply to your circular communication of this date we beg leave to say that we do not feel willing to venture our opinion upon a document "purporting to have emanated from the Chinese Government."

Should the Chops in question reach you thro' an official medium our opinion will not be withheld in regard to its bearing upon our commercial relations with this Empire.

We are Sir

With great respect

Your Obt Servts

Peltmore & Co

To

Hon Peter Parker

Chargé d'affaires

U.S. of America

ad interim

Canton

No. 10. (Copy)

Canton 9th July 1850

Sir:

We have the honour to acknowledge receipt of your circular letter of this date with translation of a document purporting to have emanated from the Chinese Government establishing Officials warehouses for teas and the Regulations thereof" and requesting our views concerning it.

As we do not understand that this has yet come before you in an official manner from the Chinese Authorities which we presume it must do before being promulgated as a law, we feel a delicacy in expressing our opinion as to its influence upon that part of the foreign trade which is directly effected any further than to say that it appears to us to be in absolute contravention of the Treaty between the United States and China and therefore liable to the most serious objections.

We have the honour to be

Sir Your most Obt Servts

Augustine Heard & Co

Hon Peter Parker
Chargé d'affairs of the U.S.

No. 11. (Copy)

Canton July 13th 1850

Sir.

We have the honour to acknowledge receipt of your communication of the 9th Instant with a copy of a new Edict relating to the Establishment of Government Warehouses for the purpose of preventing D. smuggling & to render unable the Government to have an eye to the tea Trade, also relating to the exaction of a duty of two mace pr pl to be paid by the shippers for the purpose of cancelling an old debt due from the Hong Merchants to the Imperial Government.

As Merchants we are anxious not to have any thing done which may compromise us or our constituents, or our Government in difficulties with the Chinese, & we are quite content & await the case for any infractions of our Treaty, which may be applied by other nations than America. We cannot find any warrant for the charge to be exacted, but we prefer to suffer the evils of said exactions rather than to take any active part beyond protesting against it. and we are not

quite sure that as individuals we shall do this.

We are

Very Respectfully

Your Obdt Servts.

Sir Peter Parker Russell & Co

Chargé d'affaires

&c &c

No. 12. (Copy)

Canton China July 16th 1850

Sir

With reference to your communication of the 13th inst addressed to the American Merchants in Canton, I in compliance with the request therein contained. I beg to state as my opinion upon the question proposed therein, that so far as the merits of the case can be at present ascertained by me (from the declarations of the Olmec petitioners as also the statements of the Viceroy in reply to your representation) it is not of a nature calling for the immediate interference of the American Authorities in China: if as represented in the reply of Commissioner Lin to your note, no new charges will be entailed upon the article of tea, either at the time of or previous to the shipments from hence. then no infraction of the Treaty could arise therefrom, & it would seem that the idea of any illegal tax is disclaimed distinctly, at least so far as the foreign merchants is concerned.

The object of the new plan is declared to be merely to systematize the shipping off of tea, & to secure the collection of the specific

duties upon the same which are now endangered by the irregular mode in which the articles is received & sent off: to this superintendence of the Chinese Officials it appears to me that the foreigners have no right to object provided that the new plan does not burden the teas beyond what would be incurred if the article was stored in the Packhouses of different native merchants & shipped off as heretofore: It seems to me therefore that the perpetuity of remonstrance on the part of the Americans must depend upon the actual effects of the proposed measure which cannot be distinctly foretold at this time.

I remain. With great respect
Sir.
Your most Obedt Servant
Peter Parker Esqr George Perkins
American Chargé d'affaires
Ad interim
Canton

No. 13. (Copy)

Canton July 18th 1859

Honourable S. Parker

Chargé d'affaires, ad interim,

U. S. America in China

Sir

We have received and beg to thank you for your circular communication of 13th July regarding arrangements proposed by the Chinese Government for the warehousing of teas and in reply to your question as to our opinion regarding the documents of which you hand us copy we can only say that we conceive the Government have a right to make any arrangements they may think proper respecting Warehouses by which to protect the revenue of the Empire so long as they do not put an additional tax upon Tea or other articles beyond what is named in the Tariff agreed upon between this country and our own.

It remains however for your good self to decide whether the steps proposed is not a mere preliminary towards an indirect additional tax upon the article it especially refers to and whether in the arrangements now made there is not an indirect infring-

ments upon Treaty Rights in Junnan Monopolies which by the treaty of Nanyhai were abolished.

Dear Sir

Your ever Ob.t Servt

Wm Jardine & Co

No. 14. (Copy)

Canton 19th July 1850

Sir

We have the honor to acknowledge receipt of your circular letter of 18th July handing for our perusal copy of a note from the Chinese Imperial Commissioner upon the subject of the new Government Sea Port Harbour and the regulations by which they are to be conducted.

His Excellency appears to think that the arrangements in no way concern the Chinese or Foreign Merchants and you request us to inform you whether we concur or not in the opinion.

In reply we would say that we do not clearly understand whether the two mace per picul which by one of the regulations above adverted to are to be paid into the Imperial Treasury form a new and separate tax on Trade, over & above the duty provided in the Tariff and established by Treaty, or are simply a portion of the customary Port Charges & Expenses upon the articles which the Government chuses to devote to a particular object.

The tenor of the note from the Imperial

Commissioner would simply check the
latter is the case, and if so it would scarcely
be a subject for foreign interference. But if
the former be intended, or the practical
operation of the rule be found to bear
the effect of a tax by enhancing the value
of tea, we think it would be a violation
of the Treaty and liable to serious objections
With regard to the monopoly of the Wars
Canes and the appropriation to the
abolishing Coking system, particularly
the regulations embraced in Section 11th
we would say that they appear to us
in direct contravention to Article 15th
of the American Treaty with China
which especially provides that American
Citizens "shall not be subject to any new
limitations nor impeded in their business
by monopolies or other injurious restrictions"

We have the honor to be

Sir.

Your most Obt Servts

Augustine Heard & Co

Chas Peter Parker

Charge d'affaires, ad interim,

of the U. States of America. &c &c

Rec'd 12 Oct.

No. 3. Original.

Legation of the United States, Canton 22. July. 1850.

Hon: John M. Clayton.
Secretary of State.

Sir.

I have the honor, before the departure of the Mail, to add a few subjects omitted in the preceding dispatch.

A letter addressed this Legation by Robt. P. De Silva U.S. Consul Macao, on the 6th inst. announced the sudden decease, that day from Spasmodic Cholera, of His Excellency the Governor of that Colony.

The death of Governor da Cunha has produced here a general sensation of sorrow; The loss of such a man, as he is represented to have been, under any circumstances, is a public one, but in the present peculiar relations existing between Portugal & China, it is particularly to be deplored.

I do not learn that any

one but is authorized to carry out the instructions of his Government. If not, delay & increased expenses in the adjustment of the late difficulties will be unavoidable.

The H. B. M. Ship Plymouth, Commodore Forbes, with the Hon. J. Balster returned to Macao on the 10th inst. Mr. Balster is now in Canton and will doubtless report to you the progress of his mission. Your letter of Instructions to Mr. Balster & police is published in the "China Mail" of the 28th July. The U.S. Brig Dolphin, Commander Page is about sailing for the United States, via S. Islands and Sanfrancisco.

H. B. M's Ste Steamer "Reynard" from Teen Tsin returned to Hong-Kong on the 19th inst. It is reported that the dispatches sent by the Queen of England were received at Peking and that Governor Bonham states the city to be "satisfactory". No further particulars have been received

transpires save that advantages from the "Reynard" succeeded in driving away at two pirates some bricks from the "Great Wall."

A box, from two first Syrian has been received, addressed "Secretary of State U.S. To His Excellency "the Minister of Foreign affairs, or "His Majesty the Emperor of China. "Care of Legation of U.S. at Canton." No letter of advice accompanied it neither have I been able to trace how it came, and therefore hesitate to forward it till I shall be enabled to state to the Imperial Commissioner what it contains & by whom it is presented. Should a letter of advice arrive by the packets now due from the United States, it will be attended to immediately.

By the last Overland mail I had the pleasure of receiving from the Department a file of Washington papers for Feb. March, & April. Giving the Nations of Intelligence

~~At the 27th April I learn with~~
great pleasure, that a Treaty
had been negotiated and con-
cluded relative to Central Amer-
ica," a compact reflecting
lasting honor on the Statesman
ship, & wise moderation,
and liberal spirit of the
eminent negotiator."

I am, Sir, with great
respect,

Your Obedient Servant

Peter Parker.

R. & H. 14 Nov

No 4. Original. Rec'd.

Legation of the United States, Canton, 22. Aug. 1850.

Hon: John M. Clayton
Secretary of State.

Sir.

I have the honor to transmit you herewith a copy of my communication of the 19th inst. to the Imperial Commissioner entering a Protest against the Tea Warehouse system, of which full particulars are contained in my Despatch No 2. of the 19th ultimo, as being in contravention of the Spirit and letter of the Treaty of Wanghia.

I am informed on good authority that His Excellency Governor Bonham has not only protested the new measure but has also intimated to the Chinese

Authorities that the British Government will hold the Government of China responsible for the two mace per pecul paid on all teas exported to England and for whatever it may cost the former to recover it.

I am, Sir, with high respect
Your hu. Obt. Servt.
Peter Parker.

Legation of the United States
Canton 19th August 1850.

Sir.

The Undersigned Chargé d'Affaires ad interim, of the United States of America to China, had the honor to receive, in due course, Your Excellency's Despatch of the 13th ult. which time to be now hands &c.

In this position and absence from the city have prevented the Undersigned from earlier addressing Your Excellency upon the subject; besides, regarding the new system as one of grave import he was unwilling to act without mature considerations.

In that spirit of candor and frankness which should ever characterize the correspondence of two friendly Powers, the Undersigned now addresses Your Excellency upon the subject. On examination it appears that by the 15th Article of the Treaty "the Co hong has been abolished and "citizens of the United States are at "liberty to deal with whatever Chinese

To/ H. E. Sen Hwang Yin. Imperial Commissioner

"they please both in articles of import &
"export, and they shall not be subject
"to any new limitations nor impeded
"in their business by monopolies or other
"injurious restrictions", but Your Excellency in the Communications of the 13th ult., as well as the Regulations published by the two District Majestys, recognizes the old Cohong, which by treaty has been abolished eight years, as still existing and as performing certain functions. By these Regulations a new monopoly is constituted, for according to the 4th Regulations "whoever does not pur-
"chase the official warehouse certif-
"icate will be considered as smug-
"gling the teas" and thus the ten hong
hong firms will have all the teas
under their control and can regulate
their price at pleasure.

Moreover, notwithstanding the Treaty provides that "duties on imports and exports shall be paid as prescribed in the Tariff", yet by these new Regulations it is considered that an

1

additional tax of two mace is strictly levied upon teas. Had this tax been levied upon the revenue derived from the sale of teas after it had been paid to the Superintendent of Customs, there is not been any "concern of the Chinese or foreign merchant," but instead of that "the responsibility is forced upon the "Chinese broker who on the day of "weighing and delivering the teas is to "pay the same to the warehouse firms," and this he will not forget to include in the price of the teas sold the foreign merchant, so that after all it will concern the latter, or at least the foreign consumer of these teas.

The Undersigned, therefore, as in duty bound, addresses your Excellency, and in the name of the Government of the United States, solemnly protests against this new tea warehouse system as an infraction of the Treaty for which the Chinese Government will be held responsible.

The Undersigned avails

himself of this occasion to renew to Your Excellency the assurance of his high consideration, and has the honor to remain, Sir,

Your most Obt. Servt.

Peter Parker.

(L. S.)

Rec'd 16 Dec. 50.

No. 5. Original. A.L.S.

Legation of the United States, Canton, 27. Sept. 1850.

Hon: John M. Clayton
Secretary of State.

Sir.

I have the honor to transmit you herewith the correspondence of this Legation since the date of my last dispatch.

Having entered a Protest against the Junk House System, I have deemed it inexpedient to protract correspondence upon the subject. Should the Government of the United States decide to take up the subject hereafter, it will then be in time to notice an error in point of fact in the communication of the Imperial Commissioner of the 24th ult. (Vide No. 1.) regarding the price of teas the present season compared with the last. The nominal price of some teas may be lower, while that of others is higher, and when the less favorable

rate of Exchange is considered, the market this year is some twenty five per cent in advance of the last and not lower, as His Excellency states.

Of the existence of serious disturbances in different parts of the Empire of China, there has long been abundant evidence, both from common report, and from the Court Gazette issued at Peking. While there were in Provinces and districts remote from Canton, they attracted little attention from foreigners, but not so on their near approach. Enclosures Nos. 2, 3, 4. indicate something of the progress and importance of these disturbances.

It is difficult at present to determine the real character of these disturbers of the public peace. The terms employed in Government Edicts & correspondence to designate them, and which I have translated bag abonds,

is applied to rioters, free-booters, insurgents, and whatever class of men that are obnoxious to Government. They are probably, in the present instance, of a mixed character: some having no higher aim than plunder, others aspiring to usurpation of power. Though some acts of atrocious violence have been committed, yet, they do not seem to be generally cruel or blood-thirsty. If not resisted, they are satisfied with a moderate sum of money, or provisions to satisfy existing wants.

In Shwang Se, the movement seems to partake more of the nature of a revolution. One Leader is said to have inscribed upon his Banner 順天行道 Shun Teen Hing Taou, "Obey Heaven & do justly" In Hoo Nan, another, as reported in the Peking Gazette of the 26th July, has assumed the different titles of "August

thing," "Military Teacher,"—
"Teacher" &c.

The Chinese Government seems quite paralized, and the officers and troops sent forth to quell the disturbances, rather quail before their Antagonists and their collisions, than advance boldly to the onslaught as strong confident of superior strength and victory.

It is apprehension of what the storm may become when it reaches its greatest height, that creates uneasiness, rather than fears of its present strength.

I have the honor to remain, Sir,

With great respect
Your Obedient Servt.

Peter Parker.

With Dr Parkes's No 5.

No. 1.

I, Seu Kwang Tsin, Hereditary Lord of the first grade, Governor general of the two Kwang Provinces, ex officio; a President of the board of War, Minister and Commissioner, of the Ta Tsing Empire, have the honor to acknowledge the receipt, on the 20th inst. of the Hon. Envoy's Despatch of the 19 inst. which I have perused and fully understand. But as to the statement therein contained that I recognised the Old Cohong as still existing & performing certain function &c by designating it the Old Cohong I uprightly acknowledge that it had been abolished. Again the communication states that by the Regulations whoever does not possess the official Warehouse certificate will be considered as smuggling the teas & thus the Tea Warehouse firms will have all the Teas under their control, And can regulate their price at pleasure, I have examined & find that in the purchasing of teas it is necessary to have a bill in order to their examination, which does not differ from each Country having a Virguis report. The regulation

is specially made with a view to prevent smuggling. If there be no such certificate, then there is secret barter, and smuggling will be inevitable, which very materially effects the revenue, as to the trade, any one is still at liberty to deal with whomsoever he pleases, & how can there be any monopoly or injurious restrictions? The Hong commission (i.e. the Tea Hong or warehouse) of old has been five mace, the recent decision to deduct two mace from the five mace to make up the deficiency due the Government treasury does not at all involve the Chinese or Foreign Merchant, and how can it enhance the price of teas? Now the deduction of this commission has been made, and the tea market opened. I need not say whether the price of teas the present year, compared with former year, is greater or less, the fact it self evident (that it is less) from which it is manifest that the price of teas & the deduction of this commission, have no reciprocal influence, and, moreover, that it does not in the slightest degree impede the Chinese or Foreign Merchant. But it is needless

for me, to waste pen or ink, the Honorable Commissioner clearly determinates the right of any affair, and in view of the arguments advanced must have laid aside his doubts upon this subject. As requisite, I make this communication, and avail myself of the occasion to present my compliments and high regards. The foregoing communication is addressed to Peter Parker, Charge d'Affaire, ad interim, of the U.S. of America to China.

Taou Kwang 30 Year 7 Mo, 18 Day 25
August 1850



(5)

No. 2.

Legation of the United States, Canton 23 Sepr, 1854.

Gentlemen,

I have the honor to enclose for your perusal and information, the accompanying correspondence, between this Legation and His Excellency the Imperial Commissioner, relative to the existing disturbances in the Provinces of Canton and Kwangse.

Very Respectfully
Your Obt. Servt.
Peter Parker

To Messrs
Russell & Co.
Wetmore & Co.
Olyphant & Co.
Nye Parkin & Co.
A. Heard & Co.
Lwood Parden & Co.
Geo. Perkins Esq.
Wm Buckler Esq.
W. B. Comstock Esq.
A. C. B. Mops Esq.
W. D Lewis Esq.

No. 3

Legation of the United States,
Canton 20 Sepr. 1850

Sir,

Whereas of late rumor has been rife of the existence of serious disturbances in this Province & the neighboring one of Kwangse, calling for the intervention of the Government forces — that villages and Cities have been stormed, and that even threats of advancing upon the provincial city of Canton have been made, and that should such be the case foreigners residing at Canton may be more or less inconvenienced in person and prospect Yes — the Undersigned Chargé d'Affaires, ad interim, of the United States to China, being unable to determine how far these rumors are founded in truth, as behooves him, addresses your Excellency, & will be much obliged for any information tending to allay public apprehension, or, if danger really exist, that timely notice may be given him, & the proper measures adopted to preserve the public tranquility.

The

H. E. Sew, Imperial High Comr
Yes Yes Yes

The Undersigned avails himself of the opportunity to present Your Excellency his Compliments, and high regards, and has the honor to remain

Sir

Your Obed.t Serv.t

Peter Parker.

(L. S.)

(5)

No. 4.

I, Sew Kwang Tsin, Hereditary Lord of the first grade, Governor General of the two Kwang Provinces, ex officio, a President of the Board of War, Minister and Commissioner, of the Ta Tsing Empire, have the honor to acknowledge the receipt of the Honorable Commissioner's despatch relative to the existing disturbances in the provinces of Canton & Kwang se, which I have perused and fully understand

I have examined into the subject of the depredations and disturbances of the native vagabonds of Kwang se, and find that already the Admiral and Governor of that Province have in person led forth officers & soldiers to seize and exterminate them, and I, the Minister, have appointed Military officers and soldiers and distributed them about, & ordered them to proceed to Woo-Chow (in the Province of Kwang se) to guard that department and to exterminate the rebels. Tang Chow and Teh Hing and other districts bordering upon Kwang se being important passes, at an early moment, I dispatched regular troops

and brave volonteers to guard and hold them, and it is absolutely impossible for the vagabonds of Kwangse to pass them.

As to the province of Canton, the native vagabonds of Yingtak, Tsing Yuen, and other places, have also created disturbance, and already the inland admiral, together with the Criminal Judge, has led forth brave Soldiers to pursue them, and besides, I the Ministers am now sending out a reinforcement to their assistance, and it will not be difficult within a short time to fall upon and annihilate them.

It also appears on examination that the walled city of Canton has ever been guarded by a strong Military force. Moreover, last years more than ten thousand men were collected and drilled for action, and the regulations respecting them are all still in force, and the Chinese merchants and people each have families & property (to defend) and with one mind they have now protected and secured (the City), and certainly there is nothing further to apprehended.

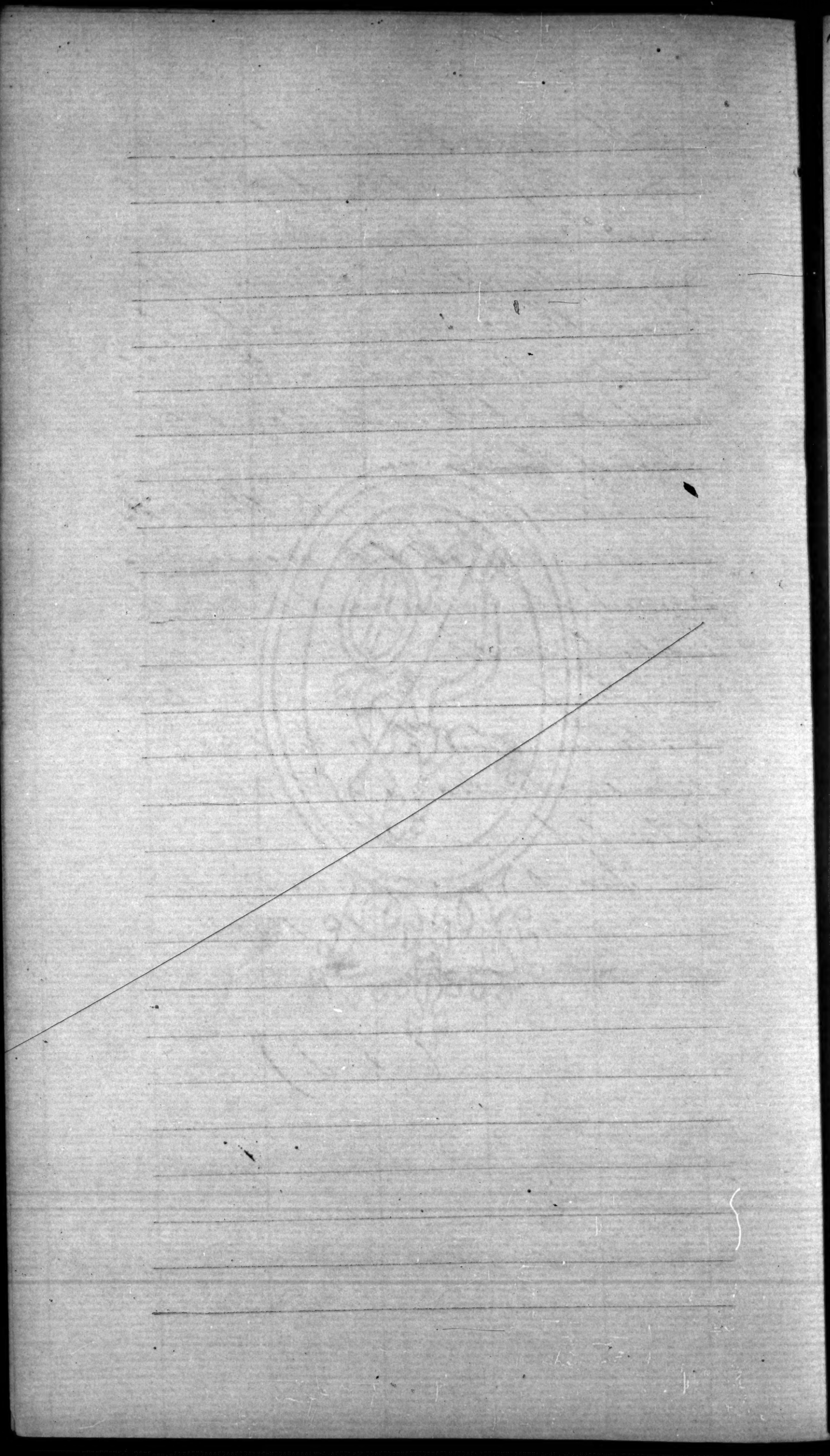
The rumors in circulation are simply the fabrications of vagabonds designed to unsettle Men's Minds, and are unworthy of much credence. The Honorable Commissioner has long resided in Canton and I think he readily and fully understand the aspect of this subject.

As requisite I make this reply and avail myself of the occasion to present him my compliments and high regards.

The forgoing communication is addressed to Peter Parker, Charge d' Affaires, ad interim, of the United States of America to China

Taou Kwang 30 yr 8 Mo 17th day.
(22 Sept 1850)

(L. S.)



Recd 17 Feb. 51

Original.

A. B. Dennis

No. 6.

Legation of the United States,
Canton, 26th Oct. 1850.

Sir

I have great pleasure in acknowledging the receipt of your Despatch No. 1 dated 25th July, conveying the gratifying information of your appointment as Secretary of State of the United States, & that you had entered upon the duties of that office.

Herewith I beg to transmit you a communication from Capt. Glendy of the United States S. "Marion" & my reply (Vide Enclos. Nos. 1 & 2).

The insurgents are not yet put down. On the 5th inst. the Governor of Canton with a force of some 2000 men proceeded to the Scene of the disturbances, and had an engagement with the rebels on the 19th inst, but it appears without any decisive result. In Kwangsee the insurrectionists are in the ascendency & have strongly fortified themselves

Hon: Dan'l Webster
Secretary of State.

in the Capital of the province.
At present trade is less embarrassed than it has been, on account of inland communication, which had been interrupted by the "rebels," and comparative quiet prevails at this City.

I have the honor to be with sentiments of distinguished consideration.

Sir

Your most Ob.t Serv.t

Peter Parker.

No. 1.

U.S. Sloop of War, Marion.
Whampoa Reach
October 7th 1850.

Sir.

The disabled condition of a very considerable portion of the Crew of this Vessel, arising undoubtedly from the insalubrity of the River, renders it incumbent upon me to leave here unless the Condition of the Country is such as to render my longer stay indispensible; I have now been here one Month, and from what I can learn the present outbreak is purely local, and from which foreign residents have really no cause to apprehend any molestation: Whilst I am obligated to protect the lives and property of American Citizens as far as my limited means permit, I am also bound to watch over the health of the Crew, and to preserve the efficiency of the Ship I command.

It may be proper to remark

Hon: Peter Parker
Chargé d'Affaires
of the U. States of America.
Canton.

that this Vessel is a single decked Ship, and her Crew consequently more liable to exposure from being obliged to sleep on deck on account of the oppressiveness of the heat below.

From Sickness, and other causes We are deprived of the Services of very nearly one third of our entire effective force.

I am, Sir, very Respectfully
Your Obt. Servant
(Signed) W. M. Glendy
Commd.

No. 2.

Legation of the United States,
Canton, 8th Oct. 1850.

Sir,

I have the honor to be in receipt of your communication of yesterday's date, and regret to learn therefrom the prevalence of sickness on board the vessel under your command, rendering it "incumbent upon you to leave your present anchorage, unless the condition of the country be such as to render your longer stay indispensible."

Intelligence has this day been received that the "rebels" having completed their work of devastation in the districts of Sing yuen and Sze Hwuy are receding, in their march, from the city of Canton, so that the apprehensions of foreigners, apprehensions hitherto not without cause, are somewhat subsiding. I need not assure you Sir that the presence of the "Marion" in this vicinity the last month has

Capt. W. M. Glendy
Senior Officer, Commanding
U.S. Squadron, East Indies.

been a source of great satisfaction to our Countrymen here, but, as desirable as her longer continuance, under other circumstance, might be, there can exist no question of the propriety of your proceeding to Hongkong or Macao, as may best suit your convenience.

I have, however, to request you will there hold yourself in readiness promptly to return to Whampoa on the receipt of the earliest information that the public interest requires it.

I have the honor to be, Sir,

Very Respectfully

Your Ob. Servant.

Peter Parker.

PETITION OF THE OLD HONG-MERCHANTS, HOWQUA AND OTHERS,

Granted to establish Tea Warehouses, and Regulations for Levying Expenses.

Fung, district magistrate of Nánhái, and Shau, district magistrate of Pwányü, &c., &c., &c., issue their perspicuous proclamation:—

Whereas, the former hong-merchants, Howqua and others, on account of the abolition by Government [of the old co-hong], having caused the tea trade to be diffused and unsettled, so that there is no fixed point for the public items, having petitioned requesting the establishing of warehouses, and levying expenses for the convenience of maintaining a supervision of the tea trade, and the liquidation of their old obligations to the imperial treasury, we have had the honor to receive the reply of the Governor-General, directing deliberations to be held upon the subject, and after joint deliberation thereon, held at the time, we reported to His Excellency the result, who in reply directed that we should enjoin upon the warehouses to conform thereto.

Now, it appears that the said tea warehouses, being without precedent, the proprietors invited all the tea merchants to meet and deliberate upon regulations by which to conduct them, and they (members of the tea warehouses) have come before us with their petition to allow them to fill the station.

Besides complying with their request, and reporting the same to all (the high officers whom it concerns, as H. E. the Governor-General, the Governor, Superintendant of Customs, Commissary of Grain, and the Prefect), that the same might be entered upon the archives, and issuing our licenses to the said warehouse firms, and enjoining upon them to act accordingly; we also, sincerely apprehending that the tea merchants, and houses engaged in foreign traffic, are not yet fully and universally informed upon the subject, as it behooves us to issue a luminous Proclamation to this end, we do proclaim to the tea merchants of the different provinces, and to firms engaged in foreign trade, for their full information, that hereafter when teas arrive at Canton, and when the dealers with foreigners purchase these teas, it is absolutely necessary that they each conform to the following Regulations. Let there be no opposition. Special proclamation.

REGULATIONS.

1. Every merchant on bringing his teas (to Canton) must store them in the government warehouses, and these having been clearly examined, and their marks and number of chests ascertained at the official warehouses, the proprietors of the warehouse must immediately repair to the Consoo of the old hong-merchants, and distinctly and minutely report the same. Having settled for the sale, on the day of weighing them, they must immediately report to what dealers in foreign trade they are sold, and separately report the marks, number of packages, and weight of the teas disposed of. If any of the said tea merchants having stored teas in the government warehouses, should remove them to another place, this also must be reported in order to clear investigation and management thereof.

2. As to the discount for difference of weight and value of moneys employed in transactions between the tea warehouses and the dealers in foreign goods, of late years every hundred taels by the tea scales has been discounted at a difference oe five taels and odd by the government scales. Now it has been decided, after deliberation, that in future, there shall buniversal conformity to the precedent of the old co-hong, that the discount between tea scales and those of the new treasury scales, shall be two taels per hundred taels (i. e. 100 taels by tea money weight will be reckoned 98 taels new treasury standard), and only 20 taels in the hundred can consist of broken (or "chopped") money, and should there be no broken money, then there will be a further deduction, but not exceeding one tael (for each hundred taels). The tea merchants obtaining this compensatory discount in their favor, will possess a very great advantage in [receiving] their tea money, and it is right according to this regulation to deduct *two mace* for every pecul of tea, to compensate the warehouse proprietor, and by him to be delivered to the Consoo of the old hong-merchants, and by them delivered over to the government treasury.

3. Warehouses for black and green teas (from other provinces), and for the Tsingyuen teas (of Canton), have been opened for many years, incurring the cost of lodging the merchants, storing teas, rent of warehouses, and various items of porterage and other requisite expenses, and in future, according to the rule hitherto existing, black teas will pay a commission of five mace per pecul, and green and native Tsingyuen teas will pay a commission according to the old regulations respecting them. (?)

4. If a tea merchant rent a place of residence for himself and for storing his teas, or if the hong-merchants manage for their own chops, (i. e. send their partners or agents to the tea country, and purchase their teas) each must accordingly repair to the official warehouses and report the number of chests, and through the official warehouses communicate the same to the Consoo of the old hong-merchants. On selling the teas, the said government warehouses, shall deduct a commission of three mace (per pecul), but if said tea merchant employs another warehouse to sell his teas for him, then the said superintending official warehouse shall receive a commission of only five candareens, and there must be no dispute upon the point. The dealer in foreign trade also must have the evidence of the official warehouse certificate (that the teas have been deposited in government warehouses), before he will be allowed to purchase them, and if he do not possess such certificate he will be considered as smuggling the teas.

5. When one licensed warehouse shall sell the teas of another of the same class, it is provided clearly, that for black teas, it shall receive a commission of five candareens per pecul to recompense it for its trouble, and the remaining 4 mace 5 candareens shall revert to the original warehouse to compensate its trouble. In respect to green and native Tsingyuen teas, there will be a division between the two parties, according to the respective commission on each, and they will be managed in the same manner as black teas. As to the deduction of two mace per pecul of teas, to make up the deficiency in the public items, it must be done according to the original petition of the old hong-merchants, viz, the weight must be reckoned as at the time of sale, allowing a deduction of ten per cent (tare). And on paying the money, the weight is to be according to the treasurer's scale, and not of the tea scales, so as to pay less.

6. When chests of tea are furnished as samples to the dealer with foreigners, five catties from a chest is the standard which he is allowed to take out as a muster; should he exceed this, he must pay the tea-merchant for the excess, according to the value of the tea, and can not refuse it.

7. Persons having undertaken the warehouse business, subsequently desiring to go into other occupations, will be permitted to report the same and retire, delivering their licenses back to the old hong-merchants to be handed over to government and cancelled.

8. These regulations are established with a primary view to maintain a surveillance over the tea trade, and thus to guard against smuggling and other like evils: if any do not conform to them, then, by the tea warehouses, they are to be reported to the authorities, to be prosecuted and punished.

9. As to the deduction of two mace to repay the money from the imperial treasury, the responsibility is fixed upon the dealers in foreign trade who purchase the teas, who, upon the day of weighing and delivering the teas, are immediately to take this money, and deliver it over to the tea warehouses, to be transferred by them to the Consoo of the old hong-merchants, and by them paid into the treasury, in order to show the importance of imperial treasury items.

Táukwáng, 30th year, 4th moon, 29th day. (June 9th, 1850.)

A faithful translation,
PETER PARKER,

Recd 18 Feb. 51.

Original

A. H. Jennick

No. 7.

Legation of the United States
Canton 20 Oct. 1850.

Sir

I have the honor to be in receipt of the Circular of your Predecessor, Hon: J. M. Clayton, dated 10th July, announcing the decease of Zachary Taylor, late President of the United States.

I have deemed it courteous to communicate the sad intelligence to the Imperial Commissioner, & through His Excellency to the Court of Peking (Vide Enclos: No. 1) and have received a civil, though somewhat characteristic acknowledgment. (Vid. No 2.).

It is deserving of Note, that within a twelve Month or so, the Sovereign of Loochoo, King of Corea, Empress Dowager & Emperor of China, Queen Dowager of Great Britain, and two Presidents of the United States, have, as the Chinese express the event, "gone the great journey."

Hon: Dan'l Webster
Secretary of State.

I have marked with much satisfaction the sentiments, the sudden decease of President Taylor has elicited, as shown by the speeches of distinguished statesmen & by the public Journals throughout the Union, and to which I most cordially subscribe, particulars to the hope so often expressed that the afflicting event may be overruled to the best good of the country.

I am Sir,

With great respect.

Your Obt. Servant.

Peter Parker.

No. 1.

Legation of the United States.
Canton, 17 Oct. 1850.

Sir.

A dispatch from the Secretary of State, Honorable John M. Clayton, has reached this Legation, announcing the afflicting intelligence of the decease of Zachary Taylor, late President of the United States, at the Executive Mansion in the City of Washington, July 9th, at thirty minutes after ten o'Clock in the evening.

On the following day at 12 o'c M. the Vice President, Millard Fillmore, in conformity to law, went in the Hall of Representatives, in presence of both Houses of Congress took the oath prescribed by the Constitution, and assumed the Office of President of the United States.

The Undersigned Chargé d'Affaires ad interim, as he conceives himself, loses no time in informing Your Excellency of this unexpected and afflictive event which has shrouded

H. E. Sen Imperial Comr

&c &c &c

a Nation in Mourning, and requests Your Excellency to announce the same to the Imperial Court of China, to the Manifestation of the Mutual Friendship & Sympathy existing between the two Nations.

The Undersigned, avails himself of the occasion to present Your Excellency his compliments & high regards.

Your Obd.t Servant.

Peter Parker.

(L. S.)

No. 2.

I, Sew Kwang Tsin, Hereditary Lord of the first Grade, Governor General of the two Kwang Provinces, ex officio, a President of the Board of War, Minister and Commissioner of the Ta Tsing Empire, have the honor to acknowledge the receipt of the despatch of the 11th instant.

I was shocked to learn therefrom the decease of the President of the United States on the 9th of July last. Peace and Amity existing between our respective countries, the event is alike profoundly afflicting to both. You, the Honorable Commissioner, bedewed with distinguished favors received from the President evidently must be afflicted with no ordinary grief: but, far and near is heard and known that the President's joy was replete with blessing and long life, and his grave ought not to be lastingly regretted: and I hope you, the Honorable Commissioner

will endeavor to limit your heart felt grief, and laboring diligently in the performance of the duties of your office, may you render some return for the favors received from the Chief Ruler of Your Honorable Nation, and that (by your exertions) You may give a fresh impetus to Commerce is that which dwells in the thoughts of Me the great Minister.

I make this reply bemoaning your Country's loss, and avail Myself of the occasion to present you My Compliments, and wishes that your Mourning blessings may be daily excellent. as requisite I make this communication

The foregoing Communication is addressed to Peter Parker Chargé d'Affaires ad interim of the United States of America to China.

Taou Kwang 30th Yr: 9th Mo: 18th day.
(21st Oct: 1850.)

(L. S.)

Rec'd 18 Feb'y 51.

R. H. Branch

No. 8. Original. Legation of the United States

Canton 26th November 1850.

Sir,

I have the honor to acknowledge the receipt, by last mail, of two copies of the "Convention between the United States of America and Her Britannic Majesty &c &c" proclaimed the 5th of July last, and by a former mail our Treaty with Hungary.

The chief occurrence of moment since the date of the last Despatch I had the honor to address you, is the utter destruction, on the 29th ultimo, of the Portuguese Frigate Donna Maria II involving the loss of upwards of two hundred human lives. The principal details of this appalling catastrophe are contained in the accompanying communications from R. W. Delliver Esq: United States Consul Macao (Vid: Nos: 1 & 2.)

A report has obtained credence that this fearful destruction of life

Hon: Dan'l Webster

Secretary of State.

and property was the premeditated and revengeful act of the Gunner of the Frigate who had been several times reperimanded by the Captain.

The assassination of Governor Amaral in August 1849, death by Cholera of Governor Da Cunha in July last, and the wholesale destruction of life and property, on the 29th. ultimo, will long be remembered with sorrow by Macao.

The safety of the United States S. "Marion" is attributable to the fortunate distance at which she was anchored from the exploded Frigate allowing the guns, shot, and fragments of the vessel to pass over and beyond her. Yet the scene on board the "Marion" baffles description. Her decks are said to have been flooded by the sea that was rolled over them, her sails besprinkled with blood, and portions of shivered human bodies strewn around.

My note of the 23d. instant to R. B. Forbes Esq: United States Vice Consul

(Vide: No. 4) will sufficiently explain itself. The claim of Wenchong to which it refers amounting to upwards of $8000, is manifestly just and ought to be paid. I have therefore deemed it my duty to point out to him the most feasible mode of recovering it.

The disturbances in this Province and that of Kwangse are not yet ended. Within the last month the insurgents have issued a Manifesto (Vide No 5) of a character calculated to gain adherents and alarm the Government. His Excellency Sin Tsih Sew, whose name is well known to foreigners from the part he bore in the late war of China with England has been appointed Imperial Commissioner, and entrusted with the task of restoring order in these two Provinces, and is said to have this day arrived at Canton en route to Kwangse.

The prestege of his name in China is comparable to that of Napoleon formerly in Europe, and from his

success in quelling a late Mahomedan rebellion in the Province of Yun Nan, the issue can hardly be considered doubtful in the present instance.

Several Sporadic Cases of Asiatic Cholera, the majority of which proved fatal, have recently occurred in the foreign community of Canton & Whampoa.

With Sentiments of distinguished consideration, I have the honor to remain, Sir,

Your Most Ob.t Serv.t

Peter Parker.

With Mr. Parker's No. 8.

No. 1. Copy

U. S. Consulate.
Macao 30th October 1850.

Sir,

It becomes my painful duty to apprise you of the total destruction of the Portuguese Frigate D. Maria Capt.n de Assis Silva.

She blew up at her anchorage in the Taypa yesterday about ½ past 2 P.M. with upwards of two hundred souls on board.

It will be gratifying to you to learn that the Ship "Marion" escaped most miraculously. Owing to her close proximity to the unfortunate Ship, Guns, Shot, Spars &c being thrown high in the air and with immense force passed over our Ship, doing no damage. One of our men who was tending boat alongside, is however badly injured in the knee from a falling Iron Bolt.

I boarded the "Marion" soon after the disaster, & such a scene I never wish to witness again, Lieut Pennock who was in command,

(the Capt.n being on Shore,) with great promptness & seconded by his Officers & Crew had his boats alongside of the wreck immediately, & at the same time having the safety of his own Ship to look after, for he was fearful the burning hull might come down upon him; the boats took from the wreck & water nine persons & they were taken at once on board the 'Marion'. This was the sight I witnessed, all aid was of course rendered them that was possible, but little could be done of avail, several of them soon died, one of whom was an Officer a passed Midshipman I think. I believe all the Officers & Crew of the D. Maria were on board at the time of the accident except the Captains son, a Lieutenant and a Commissary.

The day was the anniversary of the birth of the King consort of Portugal, and Salutes had been fired from both Ships at 12 o'clock. We can only surmise that the Magazine had been reopened for the pur-

pose of reloading the guns & through some carelessness it took fire.

Lt. Pennock and the Officers and crew of the Marion deserve the most unqualified praise for their energy and fearlessness displayed on this Melancholy occasion.

They were alongside the Wreck exposed to much danger and only left her when she was enveloped in flames & after sundry explosions from Shells &c.

In the meantime Lt. Pennock had every precaution taken to ensure the safety of his Ship, preparations were made to flood the Magazine, decks watered & Sails wet, as also everything in readiness to slip the Cable should it prove necessary so to do. But the wreck grounded & burnt to the waters edge; and all further danger to the Marion passed away.

I am just told that the body of Captain Assis has been found. It seems that

poor Macáo is fated & that we are to have nothing but gloom & disaster.

I am Sir
With much respect
Your Obdt. Servant
(signed) Robert P. De Silver
U. S. Consul.

To the
Hon.ble P. Parker
U. S. Chargé d'affaires
Canton.

No. 2. Copy

U.S. Consulate.
Macao 31st October 1850

Sir.

I had the honor of addressing you Yesterday giving the particulars of the recent destruction of the Portuguese Frigate D. Maria, which permit me now to correct.

Captn Assis's body has not been found, but that of the first Lieutenant.

In addition to those not on board of the Ship at the time of the explosion which I stated to you, & attached to her, I am told there was the Chaplain, a Midshipman, Captains Clerk and a boats crew of some seven or eight.

Yet the number of lives lost as stated by me will not be decreased, upwards of 200. at the time of the explosion there were a good many Chinese on board & about the Ship in boats.

Yesterday at low water, many bodies & portions of bodies were taken

from the wreck, & the search is still continuing this morning with a like result no clew has yet been discovered for the positive cause of the disaster & probably never will be.

I am Sir
With much respect
Your Obd't Servant
(Signed) Robert P. Dexter
U.S. Consul

P.S. I am just officially informed that the body of Capt. Ossis has been found & his funeral will take place at 4 P.M. this day.

(Signed) R. P. D.

To the
Hon'ble P. Parker
U.S. Chargé d'Affaires
Canton.

No. 3

Legation of the United States
Canton 4th November 1850.

Sir,

I have the honor to be in the receipt of your two communications of the 30th & 31st ult. timo containing full details of the total destruction of the Portuguese Frigate Donna Maria II, on the 29th ult. and the consequent loss of two hundred lives.

The preservation of the United States "Marion," in so close proximity to the exploded Frigate, is truly remarkable; and the presence of mind & prompt exertions of Lieut. Sennock & fellow officers and men are deserving high praise.

The series of Calamities which in quick succession have occurred at Macáo, seldom befalls a settlement in a time of peace.

Under many obligations for your obliging communications.

I am Sir
Respectfully & truly
Your Obdt. Servant.

Robt. S. Swasey Esq.
United States Consul.
Macáo

Peter Parker.

No. 4.

Legation of the United States
Canton 23d. Novr. 1850.

Sir,

The bearer, Weng Chong, a subject of China, having a claim against a citizen of the United States R. B. Forbes Esq. of New York, and the latter having left China, and hitherto having failed to cancel the obligation, is desirous of prosecuting the claim in the United States.

Deeming it important to evince to the Chinese that the Government of the United States is as desirous of rendering justice to subjects of China as of demanding it from them, when occasion requires, I request you to render Weng Chong the aid he may require in forwarding a Power of Attorney to some suitable agent in the United States, with such documentary evidence as he may possess to establish the validity of his claim.

I have the honor to be, Sir,
Very Respectfully
Your Obedient Servant
Peter Parker.

R. B. Forbes Esq.
Vice Consul of
the United States
Canton.

No. 5

Manifesto of the Rebels, of Ting Yuen and other districts amounting to about 3000 men.

Translation.

"The present dynasty are only Manchoos, "people of a small nation; but the power" "of their troops enabled them to usurp pos- "session of China and take its revenues, "from which it is plain that any one "may get money from China if they are "only powerful in warfare. There is there- "fore no difference between our taking "money from the villages, and the local "authorities taking the revenues. who "however take heeps. Why then are "troops causelessly sent against us? It is "most unjust. The Manchoos get the reve- "nues of the Eighteen provinces (China pro- "per) and appoint officers who oppress the peo- "ple, & Why should we, natives of China, "be excluded from burying money? The "Universal Sovereignty does not belong to "any particular individual; & a dynasty "of a hundred generations of Sons of "Heaven (Emperors) has not been seen. "It all depends, therefore, on obtaining the "possession."

Rec'd 2 April.

Rogersville Tenn. 22 March 1851.

Hon. Daniel Webster,
Secretary of State,
Sir.

Having been absent for several weeks on my Circuit, I did not until to day, have the honor to receive your favor of the 12th inst. forwarded to me from my residence at Jonesboro. I had previously received a letter on the same subject from my friend, Hon. M. P. Gentry, under date the 9th inst. which contained the first intimation to me of my intended appointment as Commissioner to China.

As I did not solicit any appointment whatever, I have no language to express my gratitude for the distinguished honor so unexpectedly conferred.

Engaged as I have been for the last nineteen years in the arduous duties of my profession with no diversion from them other than a participation in the three last Presidential contests, I need not say that my attention has not been particularly directed to the Acts of Congress in regard to foreign missions, and I regret that the Statutes are not here within my reach altho' I have them in my library at home. But Col. Gentry informs me in his letter that the Salary of a Commissioner to China is $6000. per annum and that it is usual for the Government to send him out in a ship of war."

Should this information be correct, as I presume it is, I will accept the appointment.

I infer from your letter that I will be expected to set out for my post in a short time and to receive my instructions at Washington. As my practice is somewhat extensive, it will require a few weeks to enable me to make satisfactory arrangements in regard to my business. If it will not interfere with your wishes, it will suit my convenience to be permitted to remain at home until the second Monday in May when the Chancery Court at Jonesboro' will terminate, but, should you desire it, I can leave at an earlier period. You will, therefore, please inform me at what time you will expect me to be in the City.

As I have no experience in diplomacy - as the Chinese are a very peculiar people - and as my position as Commissioner would be far removed from our Government, I respectfully request that my instructions may be as explicit as possible.

Under all the circumstances, I have deemed it most proper to address you more in the style of a private than an official communication. In the event of a visit to Washington, I can, if you desire it, withdraw this letter and substitute, in its stead, a brief note signifying my acceptance.

Very Respectfully,
Your Obt. Servt.
Thos. J. R. Nelson

P. S.

I expect to return home in a few days and you will please address me at Jonesboro' E. T.

Mr Nelsons
Thanks &c

Hon.



Hon. Daniel Webster,
Secretary of State,
Washington City
D. C.

Jonesboro' Tenn. 14th April 1851.

Hon. Daniel Webster,
Secretary of State.

Sir.

Owing to my absence for several weeks on my Circuit, I did not receive, in due course of mail, your esteemed favor of the 12th ult. in which you informed me that "the President had, by and with the advice and consent of the Senate, appointed me Commissioner of the United States to China."

I regret to inform you, in reply, that after the most mature deliberation, I am constrained, by weighty considerations of a professional and private character, respectfully to decline the appointment.

You will oblige me by tendering to the President, and also accepting for yourself, my most grateful acknowledgements for the distinguished honor so unexpectedly conferred.

Very Respectfully,
Yr Obt. Servt.
Thos. A. R. Nelson.

declines the
Appt. to China
14 April 51.

sons which have led him to decline the acceptance of appointment as Commissioner to China

Confidential.

Jonesboro' Tenn. 14th April 1837.

Hon. Daniel Webster,

Dear Sir.

As I have not the honor of a personal acquaintance with you, I feel no hesitation, from my knowledge of your character, in addressing to you - under existing circumstances - a private letter, in which I wish to express myself with the same candor and freedom that I would observe in writing to my most familiar friend. I trust you will regard me as justified in doing so from the statements which follow.

The intelligence of my nomination as Commissioner to China was brought to this District, as I first understood, by Col. Johnson and Col. Watkins, two of our Representatives to Congress. I first heard of it at Blountville, in my progress around my Circuit, to which place Col. Gentry's letter to me was forwarded from home. I there met with Col. Johnson, (who began his present canvass for Congress at that place) by whom I was informed that the Commissioner to China is entitled to an outfit of $6000., a salary of $6000, and an infit of $3000. Col. Gentry, in his letter, distinctly stated that he understood the appointment was regarded as being of higher dignity than that of Charge d' Affaires, but that the compensation was not so good - the salary being only $6000. without an outfit. He stated, further, that it was usual to send out the Commissioner in a ship of war which, as I supposed, meant that, in lieu of an outfit, he would be sent out at the expense of the Government. Such of the Tennessee papers, I met with, as noticed the appointment and expressed any opinion on the subject, coincided with Col. Johnson, and, after I returned home, I saw in the Intelligencer of 8th March, the Civil and Diplomatic Appropriation Act, in which no specific appropriation was made for outfits to any of the Foreign Missions. As a specific appropriation was made for that purpose by the act of 1845 - (5 U. S. Stat. at Large 769.) to all the other missions, and the Act of 3 March last contained two appropriations for contingent expenses and foreign intercourse, I thought, it impossible, after my return, that it was possibly the intention, by this last statute, to place the mission to China on a better footing, than it was placed by the act of 1845 and to allow an outfit, under the same general head of Contingencies under which I conjectured

that the outfits were, by that law, allowed to the other foreign missions. But, to resume my statement. I was engaged, during the greater part of the week at Blountville and proceeded from that place to Rogersville, where my time was engrossed, for several days, in preparing exceptions to the Master's Report in a voluminous Chancery Case, at the time I received and replied to your letter informing me of my appointment. I could not, after the most diligent inquiry, obtain any book or paper containing the information I desired to enable me to act understandingly on the subject and yet believed that a prompt answer was, probably, expected to your letter. I had to act upon my own imperfect recollections, derived from general reading, and such information as I could hastily procure from others. Judge Lackey informed me, at Blountville, that the expenses of living in China were very moderate; that the American Missionaries lived very comfortably upon a salary of $600. per annum and that, as the Commissioner is not expected to reside at Court, he supposed the mission would not be expensive. Guessing, from this and similar statements from others, I thought it probable I could, as a Government Agent live respectably upon $2000. and probably clear $1000. a year: and, as I supposed that I would be at no expense in going to China, I stated, as well as I remember, in my letter to you, that, if the information communicated by Col. Gentry was correct, I would accept the appointment. I was not satisfied, however, with the information upon which I was constrained to act and, at the same time I wrote to you, I addressed a letter to Gen. Jacobs, of the Post Office Department in which I hastily presented a number of interrogatories with which I thought it would be improper to trouble you, but in regard to which I had no doubt he could obtain satisfactory information in Washington.

By the last mail, I received a reply from Gen. Jacobs, under date the 3rd inst. in which he encloses a memorandum prepared by Mr. Derrick and briefly responds to the most important questions propounded. Gen. Jacobs states, in his letter, that he had a conversation with a gentleman who spent three years in China and by whom he was informed that the expenses of living there are very high and that he doubted whether a Commissioner could, on a salary of $6000., save a dollar. He states further that, owing to certain customs which prevail, it would probably cost me as much to go in a Government vessel as it would in a private one. Mr. Derrick says that the Com.r is not entitled to an outfit; that his personal and other expences in proceeding to his post are not paid by his Government; that he is not informed as to the expenses of the journey to Canton, or the annual cost of living there, but that

both are probably high. Notwithstanding this, Gen. Jacobs expresses much anxiety that I shall fill "the high and respectable position of Commissioner." -

The information thus communicated imposes upon me the painful and ~~humiliating~~ humiliating necessity of informing you as to the condition of my private affairs. Without entering into unnecessary details, permit me to state, briefly, that I began my professional career with but very slight assistance from my father, who was in quite moderate circumstances; that, at an early period, I was, by my own imprudence, involved in debt; that, altho' I have, with much difficulty, always succeeded in maintaining a reputation for punctuality and have been successful beyond my expectations as a lawyer, yet I have been kept in debt by a desire to aid my father-in-law and by other causes; that I have been chained to my profession by a fixed determination, if it required the labor of my life, to relieve myself from embarassment; that I have slowly and gradually accumulated property to the value of between fifteen and twenty thousand dollars, but still owe about $8000.; that my practice is, perhaps, equal to that of any other member of the Bar in East Tennessee, but only ranges from three to five thousand dollars a year; that, as our business is chiefly done upon credit, I find it extremely difficult to pay my debts with the punctuality I have always observed without oppressing those who are indebted to me, but am quite confident of my ability to pay them in a few years, if no adverse circumstances occurs. This is a task, however, of no ordinary difficulty in a country like this, where but little money, comparatively, is in circulation and where most of our acquisitions are in property which cannot be readily converted into cash. I may add that my widowed mother and two sisters and my six little children left motherless, not quite a year since, are all dependent upon my exertions.

I am sure, therefore, that you will not regard me as too mercenary or selfish when I say that, exalted and honorable as I esteem the position to be, which was so kindly and unexpectedly tendered, and anxious as I have felt to increase my information by a most interesting journey, no earthly consideration would, in my situation, have induced me to accept the appointment but the hope that it would relieve me from embarassment and give me - what I have toiled for and struggled for, by night and by day, during the last fifteen years - <u>freedom</u>; - freedom to engage in politics if I please - freedom of thought - freedom of action - freedom from the worse than Egyptian bondage of debt! It is needless to say that the hopes I have so fondly cherished are blasted by the letters to which I refer and that I am impelled, by stern necessity, to ask leave to withdraw my letter and substitute the enclosed in its

place, provided I can honorably do so. But as I am unacquainted with the usages which exist in such cases, I wish you to understand me, distinctly and explicitly, as saying that if, in your judgment, a compliance with this request would, in any sense, be discreditable to the Administration, injurious to my friends who so generously recommended me, or disreputable to myself, I do not ask it, as I would sooner lose every thing I own on earth than to produce either result. Should you be of opinion that my request is inadmissible for any cause whatever, then I pledge myself, if required, to start to Washington in a week after I receive your answer to this letter and to proceed to my destination in such manner and at such time as you may direct. I will go further. I pledge myself that, so far as I have the capacity to comprehend, or the ability to perform, I will endeavor faithfully to discharge, the duties which may be assigned me. But, as the position is one of so much distinction, I apprehend you will have no difficulty in selecting another Agent, doubtless more competent to fill it. It is not without much bitterness of self reproach that I am compelled to ask leave to decline an appointment which, in so many respects was most gratifying to my feelings and promised so greatly to enlarge my knowledge of the world. It is not the first occasion upon which the follies of my youth have forced me to decline a position which, but for my unfortunate errors, I would have desired to occupy. You will pardon me for saying, however, that I have no one to blame but myself and that

"The thorns which I have reaped are of the tree
"I planted; they have torn me and I bleed—
"I should have known what fruit would spring from such a seed."

While this is the severe condemnation of my own private judgment, it may not be amiss to state that I have been gratified by the brief but complimentary notices which were taken of my appointment by each of the Tennessee papers as I have seen — the Rail Road Journal, published here; the Greeneville Spy, a Democratic paper published in this District — the Knoxville Register, Knoxville Whig and Nashville True Whig. As I am but little known out of East Tennessee, it was my intention, if any attack was made upon my appointment, by any respectable paper, similar to that made in the New York Herald (of 13th March — forwarded to me by a friend at Greeneville after I sent to you) to place these Articles as well as other testimonials and various newspaper which accounts of my political discussions in the course of the last ten years, at your disposal, to the end that the action of the Administration might, if necessary, be successfully vindicated. But if you allow me to withdraw my acceptance, I presume no such defence will be called for from any of the Whig papers. I beg you to excuse this long letter. It will be a tax, I know, upon your valuable time to read it, but I do not desire an elaborate answer. You can say, in three lines, whether I am required to go or permitted to remain.

Very Respectfully
Yr. Obt. Servt. Thos. A. R. Nelson

Rec'd 9th July
Ans. 9th July 1851

Jonesboro' Tenn. 2 July 1851.

Hon. Daniel Webster,
Secretary of State.
Sir.

In the latter part of March last, I replied to your letter of the 12th of that month and accepted the appointment of Commissioner to China. On the 16th April, I addressed to you a Confidential Letter in which I asked permission - for the various reasons of a private character therein fully stated - to withdraw my letter of acceptance and to substitute a letter enclosed declining the appointment. Believing, however, that, as an honorable man, I was bound, by my letter of acceptance, to proceed on the Mission, if there were any reasons of a public or private character which, in your superior judgment, would make it necessary or proper for me to do so, I stated that I would start to Washington, in one week after receiving your answer, if you required it.

I have not as yet received any answer to my letter, but this has not surprised me, as I learn, from the newspapers, that you were absent from Washington until an early period in the past month, and have no doubt your correspondence and public duties have engrossed your whole time since your return.

For several weeks past, I have been attending the Courts of my Circuit, which are still in progress, and as I felt bound by the pledge contained in my letter, I have believed it my duty to decline any engagement which might prevent its fulfilment. I have been awaiting your reply by every mail, and, numerous as I can imagine the reasons to be which have delayed it, I suppose it is not impos-

sible that my last letter may have been miscarried or been overlooked in your very extensive correspondence. If you can possibly find time, in the midst of the many duties that are crowding upon you, to give a brief answer to my last communication, it will relieve me from much uncertainty as to my future course and from inquiries that are repeated so often as to be annoying.

In accordance with a suggestion made in Col. Benton's first letter, I have - with the view of saving you both from the importunities of others - withheld my conclusion from the public. To the questions every where propounded to me, I have replied that I could not form any final determination until I again heard from you.

After I read the article in the New York Herald, referred to in my Confidential Letter, and before I had received the information which induced a desire to decline the appointment, I felt that I would dislike to go out on so distant a mission without leaving with the Administration some additional evidence that I was not unworthy of its confidence. I also believed it was due to yourself and my friends who had procured the appointment that such proof should be furnished from those who knew me better than the members of Congress by whom I was recommended. My friend, Judge Lackey, was, accordingly, requested by me - before I heard from Gen. Jacobs - to procure from some of the judges and members of the Bar in East Tennessee such statements in regard to my professional standing as they might believe I merited, with the view of showing the ignorance as well as the recklessness of the Herald in its imputations and of enabling my political friends to defend the appointment against any similar attack. Judge Lackey procured the statements early in the month of April, but as I told him, in confidence

that I had requested you to exonerate me from my acceptance, he ceased to make any further efforts to obtain signatures, altho' various others could have been procured, and did not hand the statements to me until early in the ninth of May.

I have concluded, upon reflection, that, whether I go upon the Mission or remain, it is not improper for me to enclose these testimonials to you with a request that you cause them to be filed in the proper office in the State Department. I also enclose the Herald Article with the same marks it had when I received it.

Accompanying the statements, I submit, for your own inspection a memorandum, showing the occupations and political character of the gentlemen who were kind enough to sign them, from which you will perceive that they are subscribed by all the Judges but one - [my friend Judge Anderson, of New Market, to whom there was no opportunity to present them -] and by some of the most prominent lawyers of both political parties in East Tennessee. While I cannot but feel that the kind partiality of my friends has greatly overrated my character and pretensions, I will not attempt to disguise the fact that it affords me great pleasure to show by the evidence of some of the most prominent men in this Division of the State - (where I was born and raised and have always resided -) that they have been as much underrated in the malignant publication I enclose.

Very Respectfully,

Your Obt. Servt.

Tho. A. R. Nelson.

Hon. Daniel Webster,
Secretary of State,
Washington City.

Rec'd 8 March 51. A. H. Dennis.

No. 9. Big 2 Legation of the United States,
Canton 26th Dec: 1850.

Sir.

I have the honor herewith to transmit the Department, a communication from C. W. Bradley Esq: the United States Consul at Amoy (Vide Enclos: No 1.) accompanied by a draft of Regulations (No 2) for the Guidance of American citizens residing at that Port. For reasons set forth in my reply to Dr. Bradley, (Vide No 3) and to which I respectfully invite your attention, I could not concur in the expediency of the proposed Regulations.

The number of Americans settled at Amoy scarcely amounts to a dozen at present, and those who are transient visiters cannot be numerous. Our fellow-citizens there must differ essential lyin their Charaters from those visiting, or residing at Canton, (according to past observation & experience), to require the adoption of any such formal Regulations.

Enclosure No 4 is a form of Circular

Hon: Daniel Webster
Secretary of State.

addressed to the United States Consuls in China relative to judicial fees. No 5 is a copy of Certificate of the marriage of W. B. Lewis Esq: of New York, at present a Merchant in this City.

In my last despatch allusion was made to the report that the Imperial Commissioner Lin had arrived at this city en route to Kwangse. This report proved unfounded. His Excellency died of Asiatic Cholera on the 15th ultimo, at Tsoning in the District of Shuey Chow, some three or four days journey distant from Canton. Sales learn from the Peking Gazette of the 27th Oct: that Keying was then in a very precarious state of health. During the past month, according to the Canton Court Circular, about 1500 of the Insurgents have been slain. As illustrative of Chinese Character I may quote the statement of an intelligent Chinese. "In consequence of the insurgents pillaging the towns & villages, & ravishing wives & daughters, the people became so exasperated that brave volunteers, collected from ten towns, fell unitedly upon the

insurgents & slew over 1000 men. "The credit of this battle the officers & soldiers (who had no part in the engagement) have appropriated to themselves." And on the 15th instant a grand entertainment was given, at the Flower Gardens in this vicinity, by the Provincial Treasurer, to the Father of the Lieutenant Governor, who is nominally at the head of the Government forces, in celebration of the distinguished victory achieved by his son. The Imperial Commissioner Seu, & Chaou the Commissioner of the Salt department, & other high officers of the Government were present on the occasion.

The period of the utter suppression of these local disturbances, appears to be still distant & uncertain.

I have the honor to remain, Sir,

Very Respectfully

Your Obedient Servant.

Peter Parker.

Dr. Parker's No. 1.
Vol. 9, of 26th Cong. 2d Sess.
26th Doc
No. 21.

Copy

United States Consulate, Amoy,
2d December 1850.

Sir.

I herewith enclose for your examination certain "Regulations," &c., of which I respectfully ask your careful examination, and, if found worthy of it, your Official approval also.

These regulations are mainly based on the Treaty of the United States with China, and on "Local Regulations for the Port of Amoy," set forth by H. B. M. Consul at this place, and approved by His Excellency the Governor of Hongkong, and which are therefore of binding force on British subjects in this port. In addition to these provisions for good order, I have also enacted others, such as experience has taught me are just and necessary. In laying down these rules, however, I have endeavoured to allow our Citizens the largest reasonable liberty: and if, in some respects, I have drawn within narrower bounds certain privileges which British subjects tacitly enjoy, I have in others so enlarged them, either directly — by allowance, or

The Hon: and Rev.d Peter Parker, M. D.
Chargé d'Affaires, ad interim.

indirectly — by omitting prohibitions which H.B.M. Consul has laid down, that the balance of privileges is certainly in favour of our own citizens over those of the United Kingdom.

Sec. 1. This being the language of the Treaty re-
Sec. 2. quires no approval. — founded on the British
Sec. 3 regulation, but gives more freedom, — is not in the English local code. It is adopted from what I believe to be <u>necessity</u>. Our streets are, with few exceptions, not more than five or six feet wide, and are thronged with people. Accidents to the natives have already occasionally happened from this source, and they are greatly intimidated.

Many of the riders are more or less careless of the consequences, and this will sooner or later almost inevitably incree severe, if not fatal effects. The abundance of other resources for recreation & amusement render this one, in my deliberate opinion, both unnecessary and inexpedient.

Sec. 4, 5, 6. The propriety of these requisitions requires no showing.

Sec. 7 is introduced because of the generally
prevailing custom of foreigners here
of beating or whipping the dogs of the
Chinese,— and frequently of chasing
them into houses for this purpose, to the
great annoyance of the inhabitants
Sec. 8 thereof,— Mainly taken from the
English Consular Regulations, & similar
to those of the American Consulate
at Shanghai.

Other rules, for the observance of
Masters and Seamen of the United States
are requisite, and will be prepared as soon
as the limits of the port, for vessels of
the United States, are agreed upon.

Should these rules meet with
your favourable consideration, (as I
trust they may,) I shall beg from you
an expression thereof like the following,
or to the same effect, to-wit:—

Legation of the United States,
Canton, Dec.r 1852

Having examined the annexed
Regulations drawn up by the United
States Consul at Amoy, & approving of
the same, I hereby direct that they be

published, and obeyed by all whom they may concern."

Chargé d'Affaires, ad interim."

I regret to say that I have now a judicial case before me which I think may quite possibly demand your interference as the Diplomatic Representative of the United States, unless it is soon and satisfactorily adjusted.

The difficulties which I often meet with in settling judicial matters with the Chinese local authorities (difficulties which are never experienced by the British Consul) show how important it is for a United States ship of war to visit our port occasionally, in order to insure respect for our flag, and for those who enjoy its protection.

This consideration pressed upon the late Commissioner, Mr. Davis, and although I received his full approval of my views and a promise of his recommendation of them to the Commodore of the Station, I have

heard nothing more of the subject.
I therefore, Sir, most respectfully re=
present the matter to yourself,
requesting that the expediency of
such a visit may be presented in a
strong light to the Commander of
our Squadron in China, for an early
appearance in these waters.

With high consideration,
I have the honor to be, Sir,
Your Obedient Servant
(Signed) = Charles William Bradley.

No. 2. Copy

Consular Regulations for Citizens of the United States residing in or visiting the Port of Amoy

---

Sec. 1. "If citizens of the United States have special occasion to address any communication to the Chinese local officers of government they shall submit the same to their Consul, to determine if the language be proper and respectful, and the matter just and right; in which event the Consul will transmit the same to the appropriate authorities for their consideration and action in the premises."

Sec. 2. The distance to which citizens of the United States may proceed into the interior, for exercise or pleasure, will be limited, until otherwise notified, to the bound agreed upon between H. B. M's Consul at this port, and the Chinese authorities, to-wit:— No citizen of the United States may go so far from the City of Amoy that he will not be able, ordinarily, to return to it within twenty-four hours from the time of leaving the said City.

Sec. 3. Citizens of the United States will not be permitted to ride on horseback through the streets of Amoy, nor in any of its suburbs.

Sec. 4. All cases of death occurring on board of vessels of the United States, lying in the harbour of Amoy, or in the residence of its citizens on shore, must be immediately reported to the Consulate.

Sec. 5 Losses of property by theft or fraud, — assaults or felonies requiring redress, — breaches of the Treaty of Wang-Hiya involving personal injury or inconvenience, and all complaints of a public nature whatsoever, should be reported to the Consulate with the least possible delay. —

If a Chinese be guilty of any criminal act against citizens of the United States, either on shore or afloat, he may be detained; in which case, information of the fact and of the allegation should be at once transmitted to the Consulate. But in no instance will citizens of the United States be permitted to use violence to Chinese offenders,

nor to take the law into their own hands, for the redress of grievances.

Sec. 6. Citizens of the United States visiting Ku-lang-su, or the neighbouring islands, or the mainland, are not permitted to trespass upon the occupied grounds and houses of the Chinese.

Sec. 7 Any offensive aggression against the Chinese, or against their domestic animals, or other property is strictly prohibited.

The penalty for violating any of the foregoing regulations is either fine or imprisonment, or both;— at the discretion of the Consul.

Sec. 8. Every adult male citizen of the United States must, annually, on the first day of January, return to the Consulate, for registration, the following particulars, to-wit:

1st His name, age, occupation, and residence.

2d. The names and ages of his wife and children, (if any.)

3d The names of each & every clerk, servant, or other person in his regular employment.

4th Real estate which may be held on rental, in or near the port of Amoy.

Given under my hand and the seal of the United States Consulate at Amoy, this second day of December, in the Year of our Lord one thousand eight hundred & fifty, And of the Independence of the United States the seventy fourth.

(signed) Charles William Bradley.

No. 3

Legation of the United States.
Canton 2d Dec.r 1850.

Sir,

Your Despatches Nos. 17 & 18 were duly received, as also No. 21 of the 2d. inst. the latter inclosing a draft of Regulations for the guidance of Citizens of the United States at Amoy requesting examination & approval in order to their publication.

I have given the subject careful attention, and in reply have to state, that the principal Articles of the proposed Regulations are already provided for either by Treaty, or correspondence of this Legation with the Imperial Commissioner.

Article 1st. of the Regulations is contained in the 21st. Article of Treaty and need not be reenacted. That any citizen of the United States should presume to disregard this or any other article of said Treaty is an idea too preposterous to be entertained for a moment. Should any however, be so lost to self respect

Charles W.m Bradley Esq.
United States Consul.
Amoy.

as to be guilty of such dereliction, the judicial powers with which Consuls in China are invested are ample to correct the evil.

Art. 2d. The limits within which citizens of the United States are allowed to go for recreation are the same at all the ports, and were finally settled (as the Treaty requires, and as was specially urged by the Hon: Secretary of State), by this Legation and the Imperial Commissioner Yeh, in June 1858. They are as follows.

"The limits allowed citizens of
"the United States at the five free ports, for
"exercise and recreation have now been
"defined to be the distance of one entire
"day for going and returning."

There being no Consul of the United States at Amoy at the time, the Limits were not published by Circular, as was the case at Shanghae. If the settlement of the limits is not generally known to our citizens at your port, it will be proper for you to communicate it to them.

Articles 3d 6th & 7th. I conceive the end proposed by these articles will be better attained by simply calling attention

to them, through the medium of an official communication to, or in personal intercourse with, our citizens, the number of whom at Amoy is not large, than by any arbitrary regulations.

Art. 5th is sufficiently provided for by the 21st Article of Treaty.

Art. 8th appears uncalled for, and calculated to give offence. Your despatch contains the first intimation of the existence of such a regulation on the part of the United States at any of the five ports. That experience may prove the expediency of Port Regulations for the guidance of Masters of Vessels & Sailors is not improbable, and if judicious will be sanctioned, but the clear and broad principles of the Treaty are ample for the general guidance and control of Citizens of the United States resident in China.

At present the "Marion" is the only United States Man of war in China.

The propriety of your request is fully appreciated, and the desirableness of a United States vessel visiting your port

will be argued at the earliest practicable
moment.

I am, Sir

Very truly
Your Obed't. Servant.

Peter Parker.

No. 4.

Circular

Legation of the United States.
Canton, 12th Dec: 1850.

To

J. N. A. Griswold Esq.
United States Consul.
Shanghae.

Sir

By Sec: 5 of the act of Congress approved 11th August 1848, "regular accounts, both of receipts and expenditures, (for judicial services) shall be kept and laid before Congress by the commissioner annually." In order to the fulfilment of this duty you are requested to transmit to this Legation annually as early as practicable, the account of fees received at your consulate for judicial services during each current year.

I am, Sir, Very truly
Your Obedient Servant.

Peter Parker.

N.B. This Circular was addressed to each of the Consuls in China.

No. 5 Copy.

Certificate.

Legation of the United States,
Canton 26th December 1850.

The Marriage of William Dayton Lewis Esq. a citizen of the United States of America, and Miss Sophie Marie Carvalho, a subject of His Majesty the King of the Netherlands, has this day been duly solemnized by the Undersigned, at this Legation, agreeably to the usage of the Presbyterian Church of the United States of America.

Peter Parker.

Signed.
Robt. Browne
Edw Cunningham.
J Kuijper van Staphorst
Harriet W. Parker.

Witnesses.

Recd 19 apric.

A. H Dennick

United States Legation,
No 10 Original) Canton 28th jany 1851.

To

The Hon. Daniel Webster
Secretary of State.

Sir,

From the correspondence I have the honor to transmit the Department, you will perceive that C. W. Bradley Esq. our Consul at Amoy, has had occasion to complain of the local authorities at that port with whom he has had official intercourse. I respectfully invite your attention to my reply to the Consul (No 2.) in which you will find succinctly stated the essential facts of the case, and I submit to your superior wisdom the correctness or otherwise of the view I have taken of them, & the course pursued.

The accompanying Enclosures are as follows.

No 1. C. W. Bradley's communication of the 24th Dec last, delivered in person on the 31st ultimo, with its enclosures,

A.

A. B. C. D. E. H. J. K. L. M. & N. 14
I. & J. were simply envelopes in Chinese
showing the manner of applying the
seal, the one by the Taoutae & the
other by the British Consul at Amoy.
& were returned to Mr Bradley at
his request.
No 2 My reply to Mr Bradley. 6th Jan. 1851
No 3. My Communication to Capt Glendy 10 Jany.
No. 4 My do to the Impl Comr. 10. Jany
No 5. His Excellency's reply 14th Jany.
No 6. My note to Mr Bradley 15 Jany.
No 7. an Extract from Singapore paper 10 Jany.

On the 18th instant intelligence was
received here of still more serious diffi-
culties between the British Consul & the
Chinese Authorities at Amoy. It appears
that on the 3d of Jany the Taoutae of Amoy,
with an armed force, arrested a British
subject (a Chinese born at Singapore, pos-
sessing a register as a British subject) and
tortured him to death. For further par-
ticulars I beg to refer you to the "Chinese Mail"
of 16th Jany, which accompanies this des-
patch. The same paper also contains a
notice of Mr Bradley's case, but in which

the

the Editor has fallen into several errors.
I have seen no evidence that the Taotai denied as therein stated, (& as he justly might have done) the right of the U.S. Consul to demand jurisdiction over a Chinese subject. The able Editor concurs in my construction of the Treaty, and so does Dr Bowring H.B.M's Consul, and every other intelligent person whom I have heard express an opinion upon the subject.

Later intelligence from Amoy received at the British Consulate in this city, states that H.B.M's Serpent had arrived from Fuh chow fuh, and had anchored nearer to the city than any foreign vessel or Chinese junk had ever done before. That the Captain had "landed to quarters" & although previous notice had been given to the Authorities of his intentions, yet great excitement and alarm among the Chinese were the consequence. Since the affair of the 3d instant, 2000 Chinese troops had arrived in the city, and were under daily discipline. The pretext assigned

to

to foreigners for bringing them in was to put down the "Small Knife" Society, but the real object is believed to be a very different one, viz to intimidate foreigners. What course the British Government will take in respect to the affair has not transpired.

The "China Mail" of the 16th inst, also contains a translation of an Imperial Decree degrading the venerable Prime Minister, Muhchangah to the grade of a common subject, and the eminent Statesman Keying, to that of 5th rank. The degradation of the enlightened & liberal minded Ke Shen; former Imperial Commissioner, with whom Capt Elliot held correspondence in 1840, was reported some time since in the Peking Gazette. It is now understood that he has not only been reduced to the same level with Muhchangah - but that his property to the amount of upwards of 3,000,000 Taels has been confiscated. His Excellency last held the office of Governor General of the provinces of Shense & Kansuh.

These measures are very significant of

the

the policy of the young Emperor and a fresh confirmation of the opinion that His Majesty's counsels will be rather shaped than liberal towards foreigners.

His Excellency Le Sing Yuen, the successor of Lin Tsih Seu, arrived at the city of Kwang Se on the 2d inst. Since the date of my last the insurgents have devastated several districts, and their power seems still unbroken.

His Excellency Francis Antonio Gonsalves Cadozo the new Governor of Macao, arrived on the 20th inst at Hongkong by the Steamer Peking.

Extract

I learn from R. Browne Esq. U. S. Vice Consul at Canton, that the Dutch ship "Delft" has returned to Batavia from Japan, bringing about 30 foreign sailors, three Americans, & the rest English, who has been wrecked upon the coast of Japan. For further particulars, see extract [No 7] from "Singapore Free Press" of Jany 10th.

The desirableness of the presence of a Steamer as a part of the United States force in these seas has repeatedly been suggested to the consideration of the

De

Department. I allude to the subject simply to express the opinion, that such a measure has never appeared more important than under existing circumstances, & the probable course of events in China under the new administration.

With sentiments of distinguished consideration, I have the honor to remain,

Sir,

Your very Obed. Servt.

Peter Parker.

Dr. Parker's No 10.

No. 2.

Legation of the United States
Canton 6th January 1891.

Sir,

Your Dispatch No 27, dated Penang, 21th Dec. 1890, with its accompanying enclosures, chiefly in Chinese, was duly received on the 31st ultimo.

The documents in Chinese marked A, B, C, D, E, H, K, L, M, N, have been translated, several of them with some difficulty, & not very intelligibly, the fault of the original Chinese.

It appears from a careful examination of this Dispatch & its enclosures,

1. That there has been a quarrel between two subjects of China, in which one of them, who was at the time in the service of citizens of the United States, was wounded.

2. That the said citizens of the United States represented the case to the U.S. Consul, soliciting his official interference in the case, "in order that persons (Chinese) may be protected from violence for being engaged in their employment, according to Treaty stipulations between the United States of America and China"

3. That the Consul laid the representation of said citizen before the local authority, calling upon the same to produce the witness, at a time & place which the Consul appointed, for him to examine.-

4. That it was informally communicated by another subordinate authority that the accused should be produced at the time appointed, which he failed to do. alleging as his reason that the man had absconded, which statement, however, was falsified by a public notice of the same authority of that day.-

5. That the subordinate officer did on occasion, on the 2d Dec closing his temples, charged the Complaint with pusillanimity & declined the proffered civilities of the Consul.-

6. That the Consul peremptorily demanded the accused to be sent to him for examination (vide L.) & was informally assured it should be done, but was not.

7 That failing of a personal interview with the chief authority, the Consul addressed him (vide K.), complaining that the case could not be managed favourably

favourably

formally to treaty, & stating his intention to refer it to the higher Authorities of the two Governments.

8 That by a <u>private letter</u> this communication was acknowledged the following day, stating the police & others had been severely punished for their delinquencies, & that when the accused was arrested he should be sent to the Consul for examination.—

9 That the Consul replied to the chief Authority (M.) treating of the private letter as an official communication, exonerating the chief local authority from intentional mismanagement, but holding him responsible for the misdemeanors of his subordinate, and demanding certain apologies & promises, failing which the Consul would cease correspondence upon the subject, & refer the matter to the higher Authorities of the two Governments.—

10 That the chief Authority addressed a private note to the Consul acknowledging his public dispatch, in which he designates the quarrel between the two Chinese as a trifling matter which should have been settled at once, but concedes that the police &

his subordinate officer had been delinquent, committing all sorts of errors, & informed the Consul that the accused having been arrested, he had stringently ordered his subordinate officer in a just & equitable manner to try the parties, & report the result, when he would again communicate with the Consul.

The foregoing are materially the essential facts of the case as gathered from the documents submitted.

In the instructions to the first Resident Ministers of the United States to China, the Hon. Secretary of State wrote, "Justice and a strict observance of the faith of Treaties are appreciated by all mankind, whether civilized, or savage; and you cannot be too vigilant, both by your authority and influence, in impressing upon our countrymen in that distant region, the necessity of regulating their conduct towards the natives by those great principles which bind nations together in bonds of mutual peace & harmony. A trifling individual advantage, unfairly obtained, may do essential injury for years to come to the character of our country

by

by, & its great commercial interests."

The importance of these instructions has ever been borne in mind by this Legation, & in every demand for justice or redress of grievances, the appeal has ever been, & ought to be, to the Treaty.

The 18th Article of the Treaty between the United States and China, which provides for the employment of Chinese as teachers, guarantees that "persons so employed shall not for that cause be subject to any injury on the part either of government, or, of individuals."

In the present case of a quarrel between two Chinese arising from one of them, who was in the employ of citizens of the United States, declining to contribute one dollar to a given object, there is no complaint that he was so employed, but, upon this declination, his employment by foreigners furnishing him means, was used as an argument why he should not be exempted. Admitting that a criminal act in this instance had been committed by a subject of China against a citizen of the United States, the 21st article of the Treaty

this

distinctly defines that" he should be convicted & punished by the Chinese Authorities according to the laws of China".

The 13th Article of the general Regulations under which the British trade is to be conducted at the five ports, provides, that "whenever a British subject has reason to "complain of a Chinese, he must first proceed to the Consulate, & state his grievance. The Consul will thereupon inquire "into the merits of the case & do his "utmost to arrange it amicably. + + +. "If unfortunately any disputes take place "of such a nature that the Consul cannot arrange them amicably, then he "shall request the assistance of a Chinese "officer that they may together examine into "the merits of the case, & decide it equitably."

The 25th Article of the French Treaty is of similar import). But there is no provision here, or in any article of any Treaty with China, authorizing a Consul to demand of the Chinese Authorities to deliver up a Chinese subject to him for examination. I have made inquiry at the British Consulate at Canton as to the working of this Article

Hole, & am informed that in cases of a British subject entering a complaint a-gainst a Chinese, the Consul is in the habit of issuing his summons to the Chinese direct to appear before him: if he disregard the summons, the case is then referred to the Chinese Magistrate, who alone deals with the accused; but in no instance have the local authorities been called upon to produce a Chinese at the Consulate for examination. In a recent analagous case in which a complaint was entered at the Consulate, that Chinese servants who had been dismissed the foreigners service, maltreated others who were employed in their place, the British Consul simply referred the offence to the District Magistrate who forthwith arrested and punished the offenders.
In the memorable case of the massacre of six Englishmen at Wang Chuh Ke it was only demanded that the guilty should be tried & punished by the Chinese, the execution being witnessed by persons designated by the British Government for the purpose. Since it has been

the

the uniform usage of this Legation to call upon the Chinese Authorities to arrest try, & punish their own subjects for offences against citizens of the United States. The conviction is irresistable upon my mind that your demand for the accused Chow Gow to be sent to your Consulate by the Chinese Authorities for examination, is not authorised by any Treaty with China, & certainly not by that of the United States, neither is it sanctioned by any precedent within my knowledge.

How far the position assumed at the commencement of this case, may have caused the irregularities of which you complain, is uncertain, but that it has had its influence is very probable.

On the one hand, that the Governor & Hoppo have been guilty of discourtesy towards you in the present instance is clear at least in three particulars.

1. They should not directly or indirectly have acceded to your demand to send Chow Gow to your Consulate for examination, & then fail to do so.

2. Your official communication should have been replied to officially.

3. There is no apology for them appearing that you ought to have absconded when the evidence was so conclusive to the contrary.

On the other hand, the tone of your communications so far as it can be gathered from the Chinese translations, for the original in no instance has been furnished me, has been unobjectionable.

As you desire, I shall at an early date communicate with the Imperial Commissioner upon the subject, as the merits of the case demands.

If agreeable to yourself, I shall request Captain Glenday, if practicable, to convey you back to Amoy in the United States Sloop "Marion."

Hereafter I will communicate to you the result of the correspondence of this Legation with the Imperial Commissioner, & in the meantime suggest the expediency of your resuming to your station the ordinary duties of your office, & I entertain the hope, that by a prudent &

Con

circulating coins, harmony & good correspondence will be restored between you and the Chinese authorities at Amoy.

I appreciate the embarrassment & expense from want of a competent Chinese Interpreter to the Consulate, and recommend that in future the Consular seal be affixed to the original of your communications, & not to the accompanying translations.

I remain, Sir, very truly
Your Obedient Servant

Peter Parker.

No. 3.

Legation of the United States
Canton, 10th January 1841.

Sir,

C. W. Bradley Esq. United States Consul at Amoy, in repeated instances has addressed this Legation, by pressing his sense of "the "importance of a United States Ship of War visiting that port occasionally, in order to give "due respect to our flag, and for those "who enjoy its protection."

Mr Bradley who has recently visited Canton with a view to represent the precarious he has experienced in his intercourse with the Chinese Authorities at Amoy, is about returning thither, and has renewed the expression of his desire that a Government Vessel may visit that port.

The position in which the Consul is placed is such as to induce me to request, if consistent with your views & plans, that you will, at your convenience, visit Amoy with the United States S. "Marion" under your command.

I have the honor to remain, Sir,
Your most respectfully your Obt Servt

Peter Parker.

Lt W. M. Glendy - Senior Officer
Commanding the U. S. Naval forces
East Indies -
Macao -

No. 4.

Legation of the United States.

Canton 11th January 1851.

Sir,

The Undersigned Chargé d'Affaires ad interim, of the United States of America to China, has the honor to inform your Excellency, that Edmund Bradley Esq. United States Consul at Amoy, has recently come to this city to represent to the Undersigned, certain grievances on the part of the, the Taou Tae of Hing-Beau-Yung, & Foo Ta-jun Hae-fung of Amoy, in his official intercourse with said Authorities; viz, that in consequence of one Yang-Keen-Nam, a subject of China, in the employ of citizens of the United States as a teacher of the Chinese language, being assaulted & wounded by one Shoo Gan, the said citizens represented the case to the United States Consul, requesting him to interpose, that under the provisions of the 21st article of the Treaty, persons in their employment might be protected from injury &c.

Whereupon, the Consul communicated with the, the Taou Tae upon the subject. In the progress of the case, the Consul represents

the

the following specifications.

1. That in his several public dispatches, the Taou Tae simply replied either orally by a messenger, or by a private letter, & in no instance officially.

2. That in several instances the Taou Tae failed to fulfill his engagements to the Consul, and in one instance, in which an appeal was made, there was evidence that the reasons assigned were unfounded.

3. That Yeh Yaysun, the Hae fong of Amoy, at a personal interview on the 3rd Dec last, at the Consulate, became angry and treated the Consul with disrespect.

4. That he had evidence to believe that the said Yeh Yaysun, Hae fong of Amoy, had received bribes from the guilty Shoo Jew, who is a wealthy man, and that up to the 26th ult the day of the Consul's leaving Amoy for Canton, no report had been received of his prosecution & punishment.

Regarding the above representation of the Consul as founded upon fact, the Undersigned, as becomes him, addresses Your Excellency the Imperial Commissioner & general superintendent of the maritime

Thomas, confident Your Excellency will cause due investigation to be made into the conduct of the said Local Authorities of Mary, and that everything of which the Consul has just right to complain, will be managed with equity & justice & conformably to the Treaty, as is most expedient & just.

The Undersigned avails himself of the opportunity to present Your Excellency the compliments of the season, and has the honor to remain Sir,

Your Most obedient Servant

Peter Parker

(L.S.)

No. 5.

Gen, Imperial Commissioner &c &c &c

Has the honor to acknowledge the receipt of the Hon, Chargé d'affaires dispatch of the 11th inst, in which he states that (Lt.) Bradley Counsel of His Hon; nation at Amoy, had represented to him the case in which Yang Heen Chen, had been assaulted, & wounded, by Hsu Yen, and moreover specifying some grievances, &c, all of which I have perused & fully understand. I the Minister for the with send a dispatch to the Governor & Lieut Governor of the Provinces of Fuh Kien, ordering them to make investigation, and on the receipt of their reply, I will address you again. In the meantime I make this reply & avail myself of the opportunity to present you the compliments of the season &c.

As requisite I make this communication.

The foregoing communication is addressed to Peter Parker, Chargé d'Affaires ad interim, by the United States of America at Peking.

Gabon Morning 31st Jan, 12. M. 19. day.

14th January 1891.

No. 6.

Legation of the United States
Canton, 15th Jan 1854.

Sir

Herewith I transmit you a copy of my communication to the Imperial Commissioner of the 11th inst, and a translation of His Excellency's reply of the 14th inst, and remain, Sir,

Very Respectfully
Your Ob't Servant
Peter Parker.

Chas W Bradley Esq
United States Consul
Amoy.

No. 7. Copy

Extract.

Accounts from Japan, received at Batavia by the trading ships which have returned this month, state that three American sailors arrived at Nangasaki on the 4th of August last, from Mackinaw, who stated that having on the 5th of October 1846 left New York in the American vessel Berkshire, Captain S. Carter, on a whaling voyage, they had been some time afterwards left at New Zealand on account of sickness, and on 29th Decr 1847 they had again shipped on the whaling ship Trident, and in July 1849 had been left on the Japanese Island Matoe, north of Jezo.

According to the same accounts, other thirty one shipwrecked sailors of different nations, who had been engaged in the whale fishing, were brought to Nangasaki on the 5th & 8th October last, who stated that they belonged to the English ship Edmund, Captain W. H. Smith, of Hobart Town, which had been wrecked on the Japan coast near Jezo. One of the sailors on the voyage fell overboard & was

drowned

drowned. His body, preserved in salt, was brought to Nangasaki and buried in the Dutch cemetery there. All these sailors, who had been well treated by the Japanese authorities, were delivered to the Dutch chief at Decima, and arrived at Batavia in the Dutch trading ship Delft."

Rec'd 19 April, 51 No. 1. With Mr. Parker's No 10.
No 27. of 28th Dec. 50.

Consulate of the United States,
Amoy, 24th December 1850.

Sir,

Agreeable to an intimation contained in my dispatch No 21. it now becomes my duty to lay before you the following statement, together with the official correspondence connected therewith.

1850. Nov. 30. This day I received the Complaint of Revd Messrs Doty & Talmage, citizens of the United States. (see [A]). Same day sent letter to the Taotai (B) together with a Chinese translation of the aforesaid complaint (C.) In return for these, I received the Taotai's card only, and his oral promise of compliance with my request. Also (same day) received the acting Hae-fong's card, with a message from him that the accused should be brought before me for examination at 3 o'clock P. M. of Dec. 2nd.

Dec. 2nd. 3, o'clock P. M. Court of Examination in attendance at the place appointed. Sworn the complainants & their witnesses, and Revd Alexander Stronach, as Interpreter. — No appearance of the respondent or his witnesses having been up to 5 o'clock P. M. and no reason for such non-appearance having been communicated

called to me, & at that time again addressed the Taou tae. (D) To this I received no reply, either written or oral, but only his card.

Decr 3^d 12 o'clock M. Messenger from the acting Hae fang with the card of that officer, saying he would call on me at 1, o'clock P.M. of that day. At 2 p.s o'clock P.M., just after I had dismissed my linguist, he (the said acting Hae fang) came. At this interview he assigned as the reason for not sending to me the accused party, Pole gu, as he had promised, - that said Pole gu had absconded from these parts, and could not then be found; - which declaration I know to be entirely false, from the concurrent testimony of many credible witnesses, who had seen the said Pole gu publicly in the streets of Amoy, on that very day, - to wit: the 2^d day of December - (see E) a manifesto paper taken from off the outer walls of the said acting Hae fang's office, - said to confirm the fact that on this day, - Dec 2^d, - the said Pole gu was before the said acting Hae fang, and that he was then & there dismissed on account of the non appearance of Ting Kiau Liau, - the party on whose account the aforesaid complaint was made. - At this interview also, the said acting Hae fang,

after

after rising and turning his back upon me in insulting anger, and charging the person officiating as linguist with wilfully misinterpreting between us, refused all proffered courtesies at his departure. At 7 o'clock P.M. I received a note from Rev Mr Doty, informing me that Ding Kiân-Liân, the injured party, had just been summoned before the acting Hae-fang for examination. At my suggestion the said Ding-Kiân Liân did not appear to the said summons, but other credible persons who were at that time present in the acting Hai-fang's court, assert that the said acting Hae-fang did publicly animadvert on my having placed three Yeh-ts stamps on the envelopes of my communications with the Yuen Tae; as assuming too high a position for myself [71. [9].

Dec. 4th " Sent third communication to the Yuen Tae; and again received only an oral message, with his card, stating that the accused party should positively be presented at the time & place of my second appointment, - to wit: on 5th Dec; at 3 o'clock P.M. at Rev Mr Doty's house.

Dec 5th " 3 o'clock P.M. No appearance of the accused. Present: the complainants & their witnesses. At 5. P.M. Rev Mr Doty having been sworn

as

as Interpreter,) I proceeded to examine the witnesses of the plaintiffs, and dictate that the testimony should also be taken in Chinese, by the Evangelist &c. Esq. - who was present. [1] [4].

Dec 7th 10 o'clock A.M. - sent my card with message to the Taoutae, appointing the hour of noon, of that day, for calling upon him. - To this message the Taoutae immediately returned his card, informing me that he was sick, and that he could not receive me. - Upon this I forwarded to him the letter marked [K]

Dec 8th (Sunday) - Received the document [L.], at 1, O'Clock P.M.

Do 9th At 6. o'clock P.M., sent a communication to the Taou Tae. [M.] At 8 1/2 P.M. Lin-King-Chief, whom I had employed as my linguist, - came to me, charged with a message from the Taou Tae, asking an explanation of one or two words in said last communication - which I gave him in English.

Dec 10th Corresponded (unofficially) with Messrs. Consul Sullivan and Interpreter Morrison (of H.B.M. Consulate) on the subject. At 7 P.M. received the Taou Tae's letter marked [N.]; since which no further correspondence has been held

on the subject.

I now submit the whole matter to your Judgment, Sir, as to the highest representative authority of the United States in China, hoping that it may be brought to the notice of His Excellency the Imperial Commissioner at the earliest moment, since entire due justice is rendered in the premises, and a proper asylum afforded for the insane which as an officer of the United States I have claimed, I am held no further communication with His Imperial Majesty's officers at the seat of my Consulate.

I am, Sir, very truly,
Your Obedient Servant
(signed) Charles William Bradley.

(A.)

To C. W. Bradley Esqr

United States Consul, &c

Amoy

The undersigned citizens of the U. S. A., beg to make the following statement, praying for your investigation and action, if it should be deemed needful.

One of our teachers of the Chinese language, named Yông Kiân Kiâu, a man whom, from long acquaintance, we esteem worthy of confidence, was, on the evening of November 29th, about 8 o'clock, attacked and severely beaten and wounded, in the street called Kiok Kâu, in Amoy by one Kê Gîn commonly known by the name of Ko-Ô Gîn, a shopkeeper in said street.

The cause of this assault was that the said teacher, Yông Kiân Kiâu, was unwilling to contribute to defray the expense of an idolatrous procession, pleading his character as a literary person and his poverty. Upon this, the assailant retorted — That he was in the employment of foreigners, and had money, and that he had become the worshipper of Jesus, and that his literary character was mere pretence, and insisting

that

that he should pay one dollar towards the the procession.

The teacher still declining, the said Kéu Gin struck him in the chest and pursued him, attempting to escape into a neighboring house, when he the said Kéu Gin, continued the assault, inflicting a severe wound on the head of the said Ting-Kiân-kiân.

In corroboration of this statement, we offer the evidence of Lien-Tsai-ko, who was at the time in company with the teacher, and an eye-witness of the assault.

In order to protect persons from violence, for being engaged in our employment, according to treaty stipulations between the U.S.A. and China, we pray for your official interference in the above stated case.

Thus pray Yours &c,

(signed) E Doty

L.V.M. Talmage

Citizens of the U.S.A.

Ningpo, Nov 30th 1860.

(13)

(U.S. Consulate Amoy)

30 Nov. 1850.

The Undersigned Consul of the United States at Amoy has the honor to address (H.E.) the Taou Tae of Hing Hwa Fung - Whereas the (Rev. Messrs) Doty & Talmage, citizens of the United States have represented to him, that their Teacher, Yang Yuen Mau, has been beaten and seriously wounded by Choo Jeu & associates, as is right he communicates this their statement to the Taou Tae She, that he may direct the police to bring Choo Jeu on the 2nd December, at 3 o'clock P.M. to the residence of (Rev Mr) Doty, to appear before the Undersigned Consul, that he may discriminate which is right & which is wrong.

The Undersigned makes this communication.

E.H. Bradley

Representation of the Rev. Messrs Doty and Talmage citizens of the United States.

The Undersigned beg to lay before H.E. the Consul Bradley, the following Representation.

The Undersigned residing at Amoy for the purpose of acquiring and teaching of the Classics, request that Wang Kiou Neen to become our teacher to instruct us in the study of the Language.

Neen who has hitherto attended to his duty as a literary man, was molested three or four days since in the New Row street, by three Jews, vocally called Pak Gen. (i.e. Glass Ball) who went to the house of Neen for a contribution which was refused, but he promised, in the evening of the 27th Dec. about 8 o'clock to waylay him (Neen) in the New Row street, and with his comrades beat him, inflicting seven wounds upon his person, the blood flowing down & covering the ground. Fortunately the people of the neighboring Shops speedily rescued him, so that he escaped being killed.

Also we have the evidence of Leaou Chuen-Kioi, who was in company with Neen, and an eye witness. & the (Rev Mr.) Talmage corroborates Neens statement of Matter of fact.

The Undersigned are induced to lay the subject clearly before H. E. the Consul Bradley (with the request) that he inform H. E. the Pasha See that he may prosecute & punish according to law, that this literary mean (the teacher) may have reliance. An urgent Representation.

/ Signed E. Doty

J. N. Delmaye

30th Nov 1840

(D.)

The Undersigned Consul of the United States has the honor to inform She, the Queen Dowager of Great Britain that, whereas the Undersigned Consul upon the 30th Nov. informed him respecting the subject of your Royal Highness appointing 3 o'clock P.M. of the 2nd December, for sending Shaw Jew to the residence of (Rev. Mr.) Doty before the Undersigned Consul to be closely examined whether he be right or wrong, the Undersigned Consul on the day & at the time appointed waited more than half an hour, & Shaw Jew neither came to the place, nor was there any report of him to knowledge of the reason why, (he died not), which is truly in the highest degree inexplicable. As requisite I send this communication

(Signed)

L. H. Bradley

Dec. 2nd 1830

The Undersigned Consul of the United States has the honor to address H.E. the Tsou Tae of Ning Kwan Ning. Whereas the Undersigned Consul has learned that this day the Hae Fong of Amoy has seized Shoo Gew & brought him to his court, Hesiming himself first to make judicial investigation (of this case) to do according to what he (the Consul) informed (H.E.) on the 30th Inst viz, that he desired the arrest of Shoo Gew, & that he be brought before the Undersigned Consul that he might clearly investigate & ascertain his innocence or guilt, was in conformity with the ordinary mode of procedure between the Undersigned Consul & the high officers of Chinese, Now that the Hae fong's police have him (to his court) this evening desiring first to make judicial inquiries himself, is unreasonable, and (the Undersigned) addresses H.E. the Tsou Tae (requesting him) to direct the police to bring Shoo Gew before the Undersigned Consul, that the Consul may make clear investigation of the subject represented to him on the 30th December which is very important. It is absolutely necessary

that I

that he be sent immediately.

As requisite, the Undersigned makes this communication.

(signed)

L. H. Bradley.

4th December, 1840

U. S. Consular Court of Examination
December 7. 1860, 4½ o'clock P.M.

Revd Elihu Doty sworn as Interpreter.

Statement of Yang-Kiau-Liang.

"On 22^d day of 10th Moon (29th Nov^r) a party came to my house to ask for a subscription to a procession. I was not at home, & my wife informed them of this fact, and added that she could not herself make the desired contribution. On 23^d day (26th Nov^r) a party came again on the same business to demand the amount which they, without my consent, had put down to my name. My wife replied, that I was not at home, but that I should have nothing to do with the matter, - upon which the party used violent & obscene language to her. The 26th day (Novr 29th,) I was evening, in company with Rev^d Mr Doty's teacher (Ching-Foan-Lee) I was returning to my house, & whilst passing through the street Kok-Kau, we met a person called Ooh-Ga, to whom I respectfully said, 'You are a wealthy man, & if you wish to get up a procession you have the means of doing it, - so there is no need of asking a subscription from me,' - he replied,

you

"you are now teaching a foreigner, and it behoves you to contribute one dollar."
I said, "you speak foolishly," whereupon he struck me upon the shoulder. Upon this I made no reply; but in company with my friend I immediately left him, and walked very fast down the street, and fearing that the fierce Pole might pursue me, we turned into an alley. — Just as we entered this alley, Pole-Jin came upon us, — seized me by the throat, tripped my feet, — and threw me down, & with his hand seized & wounded me in my private parts. On raising myself I found I was bleeding from a severe wound which had been inflicted on the right side of my head, — but how it had been done, I do not know, — having been insensible at the time.
During this affray I also received a wound on the 2nd joint of the index finger of my left hand. — At this time the crowd that had collected kept off Pole-Jin, and some men helped me to a house in the neighborhood. Very soon Pole-Jin came to this house, and renewing his violent language, declared that I would

not

not be regarded as a Heathen man because I had renounced ancestral worships & have become a worshipper of Jesus."

"Since this matter has been brought before the Board, offers have been made me on the part of the friends of Pole-Gyi with a view to induce me to stop the proceedings."

Examination of 1st Witness Lian-Tsan-Kee.

"I am employed as Teacher to Rev. Wm Doty. On the 22 day of 10th Moon, about 8/4 o'clock &c

(This witness confirms the statement entirely.)

2nd Witness. — San Soa Hong.

"I am a public reader" &c — (Confirms the Teachers statement up to the time of the third Teacher's flight, after being struck on the shoulder.) "Pole-Gyi then entered his shop, and I the witness then went on my way to my reading place."

3d Witness. Ang-Hing-Bun.

"I am a physician. I was passing the scene of affray at the time I saw the Teacher Yang-Kiau-Lian lying on his back and Pole-Gyi holding him by the privates. — I did not know the assailants name at that time, but soon learned that he was

called

called Pole-Gu) - I also saw the said Pole-Gu have an iron instrument in his hand, which instrument was about two feet long by two inches wide, with which he struck the said Teacher on the head. I then went on my way to visit a patient, and saw no more."

4th Witness - Tan-Kiat-Seng.

"My business is to tie up gilt paper &c."
(Confirms the testimony of Tan-Sin-Hong - the 2nd Witness.)

5th Witness, - Ou-Eng - (Sworn on the Holy Bible.) I am an Evangelist, - in the employment of the L.M.C.J. M. & Mercy. - I testify that Ang-Hoe-Ho came to me as a messenger from Pole-Gu and offered me money to stop the prosecution of the case pending before this Court."

(Some eight Witnesses besides the foregoing were in attendance, & offered to testify, but the hour being late and the examination altogether ex parte in consequence of the non appearance of any witness of the accused, - the Court deemed it unnecessary to proceed in their examination.

(K)

(Dec. 7th)

The Undersigned Consul of the United States at Amoy has the honor to address H.E. the Taou Tae of Hing Hwen Yung, of the Ta Tsing Empire &c &c &c, & learns the Undersigned is very much grieved that the indisposition of H.E. the Taou Tae does not permit a personal interview for mutual deliberations, in order to avoid this communication, he has now no alternative, and, as behooves him, he again addresses H.E. the Taou Tae, that seeing the case of Shoo Jew, which was communicated on the 30th of November & 4th of December cannot be managed according to the perpetual treaty of amity between the Ta Tsing Empire & the United States of America, signed & sealed at Wang Hia 3d July 1844 (the above is the sense, the passage cannot be literally translated intelligibly) & as H.E. the Taou Tae seeing accedes that which the Undersigned Consul appointed in his communications & in both instances has not done as was appointed, neither by official communication given information of the reasons for non compliance, If H.E. the Taou Tae has

not

allowed this violent man thus free to run off when he should appear before the tribunal for judicial investigation, it was very improper, & the Consul cannot submit to it (more literally, the Consuls power of censurence does not submit to it), and he has no alternative but to take the circumstances of the case from beginning to end, and clearly lay them before the Minister Plenipotentiary of the United States to China, that he may lay the same before the Governor of the two Kwang Provinces, Minister & Commissioner of the Ta Ching Empire, that they may deliberate together & decide this matter & issue their edict as to the course which should be pursued by the officers of Peru in their transactions with the undersigned Consul.

As is requisite, he makes this communication.

7th Dec. 1860 (Signed.) C.W. Bradley

P.S. The undersigned Consul cannot submit to this thing, i.e. that when H.E. the Taou Tae receives the Consuls communications he has informally, in every instance applied orally, & not by an official communi-

cation

action. but to reply by an official communication is the rule of correspondence with all nations, and moreover it has been the rule of H.E. the Baron Tae himself in his correspondence with the British Consul at Amoy, and why should it be different with the Undersigned Consul? That it is so he knows not why. As is requisite he makes this further communication (ie. explanatory C.L.)

(2.)

Oct 8th

I have just received your communication & perused & fully understand it. Since I have examined & find that Thompson having before heard that he was pursued has absconded & I have just now in person had the official police brought up & severely beaten & have given all the time within which he must be brought to my court, and when he is arrested, I will immediately send him to the Hon. Consul's residence that he may examine & inquiring into the matter preparatory to / the parties / confronting each other. In the mean time I send this letter in reply and avail myself of the opportunity to present my compliments & kind regards.

The Undersigned Consul of the United States at Amoy, has the honor to address HE. the Tsan Tae of Ning Pwan Fung, of the Ta Tsing Empire &c. &c. &c.

Whereas the Undersigned Consul upon the 7th inst, addressed a communication to the Hon Tsan Tae, relative to the case of Choo Jew (Stating) the manner in which the Authorities of Amoy have managed the affair from beginning to end, the Consul conceived to be not merely disrespectful to the Consul, he being the Consul of the United States at Amoy, but also disrespectful to the United States, & that on this account, having no other alternative, he had determined to take this case and represent all the circumstances thereof from beginning to end to the Minister Plenipotentiary of the United States to China to settle and dispose of— Now upon the 8th inst, he received the Hon. Tsan Tae's public dispatch (vide letter of 8th Dec.(d) simply saying "I have now examined and find that Choo Jew knowing beforehand that he was pursued, has absconded, & I have now in person, had the Tae Tsing's police brought up and severely beaten, and have

seized

" fixed the time within which he (Thos Jaw)
" must be brought to my court, and when
" he is arrested I will immediately send
" him to the Consul's residence that he may
" make inquiry and investigation preparatory
" to (the parties) confronting each other," — without
alluding to the reasons why the Consul in
his important communication of the 7th inst,
desired to take this subject in all its details
and clearly represent it to the Minister
Plenipotentiary of the United States to China: —
but as the Hon Tsaou Tae's (official) communi-
cation states he had just then in person
had the Hastings police brought up and severely
beaten and limited the period for arresting &
bringing him (Thos Jaw) to court, the undersigned
Consul considers this to be exceedingly proper,
and conjectures that the Hon: Tsaou Tae's origi-
nal intention was certainly according to jus-
tice rigorously to manage this case, & more-
over he (the Consul) has considered maturely
that this matter is involved from begin-
ning to end, and that the circumstances
& the impracticability of settling this dis-
graceful conduct are all in consequence
of the Hon: Tae Tae's subordinate officer Yow,

the

the Baefang of Amoy, practicing deception upon the Hon: Tsaou Tae, similar to the falsehoods he uttered in the presence of the Undersigned Consul. Although throughout, the fault has been that of the Baefang of Amoy, nevertheless, the Baefang of Amoy is the Hon. Tsaou Tae's subordinate, & therefore, according to the laws of correspondence of all nations, the Undersigned Consul can only look to the Hon: Tsaou Tae to redress this grievance. If he (the Tsaou Tae) will voluntarily acknowledge the transgression, it may be practicable to avoid this matter being represented to the Minister Plenipotentiary of the United States to China, & by him being communicated to the Governor of the two Kwang Provinces, & Minister & Commissioner of the Ta Tsing Empire for them to consider together & dispose of, involving him, (the Tsaou Tae), in trouble hereafter. The Undersigned Consul also wishes to receive the following acknowledgment of the disrespect of the Officers to the Consul, viz. that as the Hon: Tsaou Tae knows that the Officers of the two Governments residing at Amoy, in their joint management have erred, & that in several instances he has broken his engagement, &

that

that he acknowledges that in both cases he did not intend disrespect to Bradley the Consul of the United States at Amoy, and the United States, the Hon Secretary of State, promises the Undersigned Consul from this time forward he will not do according to the former irregular & disgraceful proceeding which cannot accord with propriety: he also as is right, will assist & arrest the accused Hon Sec & no matter at what time, or what place in Amoy, the Consul shall appoint, will allow the Consul clearly to investigate whether he be innocent or guilty. Moreover, the Undersigned Consul, as is right, also demands that the Secretary's subordinate officer Tai, the Taotai of Amoy, distinctly acknowledge that the disrespect to the Consul is his own sin, viz, that what he did at the personal interview with the Consul on the 3rd Inst & when on the evening of the same day in the public court of the Taotai of Amoy bilified the Consul & addressing a public dispatch to the Secretary with the seal applied three times upon the envelope (stating) it was not according to usage, & (also) & that it was by accidently inserting, & that

the

the Undersigned feels as is right, acknowledge his offence.

If the Hon. Yen Fae is willing to do this, the disrespect which the Consul has received can be wiped off, & so is the Consuls wish. The Consul desires at a future period voluntarily a third time to make an appointment for bringing Woo Yen to a place for careful examination; if the Hon. Yen Fae does not wish to do this, it is in accordance with the Consuls wish. The Undersigned Consul after this communication will not hold correspondence discussing the management of the affair of Woo Yen; & he has firmly resolved to take this matter in all its details & immediately lay it before the Minister Plenipotentiary of the United States to China, and that the minister will not let the matter rest but will certainly manage the affair of the disgraceful insult which the United States has received from the Chinese officers at Amoy, that the business of the correspondence of the two governments may be transacted conformably to the Treaty of perfect amity between the United States of America & the Ta Tsing Empire signed at Wang Hia, 3 July 1844.

The

The Undersigned as is requisite, makes this communication & avails himself of the opportunity of presenting his compliments & kind regards.

(Signed)

A B Dudley.

(U.S. Consulate Amoy)
9th December 1850.

(N.)

Translation of the acting Japanese Consul's letter marked (N.)

(10th Dec. 1870)

(Sir)

I received your communication yesterday and have perused & fully understood it.

The case of the quarrel between Yang Kwan Kun, and Shoo Gee, was originally a trifling matter which the Hae Yang of Amoy certainly had the ability to manage, and ordinarily it could have been disposed of at trial, but the police have been remiss & the officers negligent committing all sorts of errors, only causing men to be beyond & embarrassed; moreover the investigation of the Hae Yang of Amoy was not proper and I the acting Japan Con, have clearly pointed out to him his error, and now Shoo Gee has been seized & brought to court, I have stringently enjoined upon the said officers in a just & equitable manner to examine (the parties) and by them and report to me the result, when I will again inform the Hon. Consul. In the mean time I address him this letter & assure myself of the

soon

occasion to present him my compliments
& kind regards.

(My name is Charlotte Bentley, Sir, may
I call accompanies this.)

Recd 10 May. A. H. Dennick.

No 11.

Legation of the United States
Canton 24th February 1851.

To,
Hon: Daniel Webster
Secretary of State.

Sir,

I have the honor herewith to transmit to the Department, a note from R. B. Forbes Esq, U. S. Vice Consul, of the 14th inst, (Colosing No 1.) with its accompanying Despatches Nos 69 & 93. together with my reply of the 22d inst, (No 2).

I respectfully solicit your attention to the subject to which these papers relate, Viz, 1. The necessity and manner of amending Regulations for the guidance of Masters of vessels and Seamen belonging to the United States at the anchorage of Whampoa.

2. The appointment of a government officer, or officers, to maintain the Regulations, and

3. An appropriation by Congress for the support of said office, or officers, as well

as

as well as for the preserving of a prison.

Of the necessity of some general Regulations for the guidance of the Masters of vessels & the control of Seamen while in the ports of China, past experience has abundantly proved. I feel confident that if such Regulations if judiciously drawn up will meet the sanction of Congress, and from the nature of the case, it is apprehended, such can be better framed in China, & as I conceive, the 4th Section of the act of Congress approved 11th August 1842, authorizes, and then it will be easy for Congress to correct defects & supply deficiencies should such exist.

The distance of Whampoa from Canton, the residence of the Consul, gives rise to the necessity for a Consular Agent to reside at the anchorage. The British Government have had a Consular Agent at Whampoa for a number of years, & a constable also.

The necessity of a place appropriate for the confinement of citizens of the United States, whether seamen or others,

guilty

guilty of criminal offences, has been created by the Treaty, a Act of Congress rendering them amenable to the laws and authorities of the United States.

The sum of $500 per annum has been annexed by the Consul as the compensation of a Consular Agent, and for the preserving of a floating prison and a keeper of the same, who may also act as Constable, a sum varying from $1500 to $2000.

If allowed a suggestion on this point it would be that Congress in its appropriation should determine a fixed limit to the expenditure, and vest in the Consul to reside at Tripoli as shall ascertain the amount absolutely necessary.

Intimations have been received that similar Regulations & provisions will be required at other ports, but the proximity of the exchanges to Gibraltar & Malta may supercede the necessity of a Consular Agent.

The early attention of the Department to this subject with such instructions to this Legation, as are called for, is most respectfully requested.

J

I have the honor to be, Sir,

Very Respectfully

Your very Obedient Servant

Peter Parker.

No. 1.

U. S. Consulate
Canton February 14. 1851.

Sir,

I have the honor to hand you enclosed a copy of my despatch No 69 & original No. 92 & request that you will forward the same to the United States government making such suggestions as the importance of the subject calls for. I am informed unofficially that one of the seamen engaged in the riot on Sunday the 2d. Instant was seen to go out into the water & never came out again & it is generally believed that he was drowned, & as one of the men from the "Sea Witch" is reported missing, it is fair to suppose he is the one alluded to, he was not on the books of the ship as I hear.

I have had no official communication with any one concerned & merely mention the subject to shew clearly the necessity of subjecting seamen to greater control & discipline.

I am very respectfully
Your Obdt servant
(signed) R B Forbes
Vice Consul.

Peter Parker Esq
Chargé d'Affaires
ad interim
&c &c
Canton

Copy

No 69. Consulate United States America

Canton August 28th 1850

Sir

Allow me to call your attention to the great necessity for some local regulations at Whampoa in order to maintain proper descipline among seamen, as well for their protection, as for the protection of the more important interests of American Commerce.

I take the liberty of forwarding a printed paper relating to this subject as carried out under the British Laws, and have made certain alterations in the same adapted to the necessity of our service.

At present we have no Consular Agent at Whampoa, for the reason that there is no funds out of which to pay such Agent. I respectfully suggest that the Minister or Commissioner or Charge or Consul at Canton, may be empowered to appoint a Consular Agent at Whampoa to act also as United States Marshall and Constable or Police Agent, paying him a salary of $500 and giving him power to arrest and detain deserters from ships

and at all times to maintain subordination or to assist the Captains in maintaining subordination on board their ships.

There is now no jail or place where American seamen can be lodged for safe keeping, and in case of difficulties, which are constantly occurring, the only place of confinement is on board ships taking in or discharging cargo. I would therefore suggest that authority be given to this Consulate to hire a Chop Boat or other suitable place for a prison and to appropriate a small sum to maintain the same - otherwise criminals may have to be put into Chinese prisons, which are not fit to put Christians into.

I would also respectfully call your attention to the propriety of authorizing and requiring Captains of Man-of-War to assist Consuls and their Agents in maintaining discipline and order on board of Merchant ships in port - and if required temporarily to take mutinous men in custody at the request of the Consul.

All of which is respectfully submitted by

Your Obd't Serv't

R W Intyre
Vice Consul

To the Honourable
John M. Clayton
Secretary of State of the U.S.
Washington D.C.

No 93.

Consulate United States America
Canton 14th February 1857

Sir,

I have the honour to enclose herein copy of my despatch No 69 to your predecessor and I now crave your special attention to the subject thereof.

The experience of the last year fully justifies me in representing the necessity of organizing and defining a suitable authority at Whampoa for the more effectual preservation of subordination on board of Merchant Ships — the want of a proper jail is daily felt, and on a late occasion a riot took place at Whampoa in consequence of sailors being permitted to go on shore and there committed outrages on the inhabitants who arming themselves drove the seamen into boats and into the water to the great danger of their lives.

In order to avoid the consequences which must sooner or later result from similar riots, I respectfully suggest that authority be given to this Consulate to appoint a Marshall and an

assistant Marshall at Whampoa; as also for the purpose of providing a suitable flouting prison and for the promulgation of regulations as to seamen landing in the vicinity of Whampoa.

The abolition of the power of Captains to punish refractory seamen by flogging and the general insubordination consequent on the California gold excitement, render it imperatively necessary to furnish this Consulate, unsupported as it is by the local police, with extraordinary powers, and I respectfully suggest that your early attention to this important matter may prevent collisions of a serious character at Whampoa, and be of much advantage to the interests of American commerce in this quarter.

I am

Very respectfully

Your Obed Servants

N B Forbes

Consul

To the Honorable

Daniel Webster

Secretary of State of the U.S.

Washington D.C.

No. 2.

Legation of the United States
Canton 22nd Feb: 1851.

Sir,

Your Communication of the 14th inst. enclosing Despatches Nos 69 & 93. has been duly perused, which agreeably to request will be forwarded to the United States Government accompanied with such suggestions as the importance of the subject to which they relate demands.

It is my impression, however, that by the last clause of the 4th Section of the Act of Congress approved 11th August 1848, this Legation is already empowered to enact such Regulations as the exigencies of the case require, subject (as provided by the 6th Section of the same Act) to the revision of Congress.

Under this conviction, I shall be ready, while waiting the reply and instructions of the Secretary of State, to peruse such draft of Regulations for guidance of masters of Vessels and Seamen, belonging to

To R. B. Forbes Esq
U. S. Vice Consul
Canton.

to the United States, visiting this port, as your position and experience may suggest.

The appointment of an officer of the government to see the Regulations are observed, whatever may be his designation, whether Marshal or Consular Agent, rests with the Home government, as does the appropriation of the means requisite to his support, and to the procuring of accommodations for a prison. In the mean time, so far as the Regulations relate to seamen, the duty of maintaining them may be devolved upon Masters of vessels.

I remain, Sir,

Very Respectfully

Your Obedient Servant.

Peter Parker

Recd 10 May. W. W. Derrick

No 12. Legation of the United States,
Canton 25th Feb 1851.

Sir,

Hon. Daniel Webster
Secretary of State.

Sir,

I have the honor to acknowledge the receipt of your Duplicate Despatch No 2. of 27th Nov. by the last mail, and shall lose no time in carrying out your instructions in the words of the law to which it relates, as well as respecting the one already received addressed to H.M. the Emperor of China.

I might perhaps to mention that on the Ship's manifest, "Jasper" from New York, was noted "4 boxes Mdse" for U.S. Legation, but only three were delivered, Viz. the box addressed "H.E. the Minister of Foreign affairs or H.M. the Emperor of China", & two boxes of books consisting of Executive Documents &c for 1847 & 8. No advice accompanying them from the Department, I am ignorant of the contents of the missing box. I respectfully suggest, to prevent the re-occurrence of like accidents,

that

that a Bill of Lading in all instances be forwarded with the boxes sent.

Herewith I have the honor to transmit a translation of a note of 4th inst. from H.E. the new Governor of Macao announcing his accession to office, on the 3d inst. (vide No 1) & my reply to the same (No 2), and also to enclose my account current with the United States Government for 1849-50 - & the account of Contingent Expenses for the year ending 22nd February, with Vouchers.

The extraordinary rate of Exchange on London has occasioned no little embarrassment & loss. The rate settled by Government being $4.84 to the £ Stg - and the actual rate in Canton has varied from 4/6 to 5/ pr $ the past year, & now stands at 5/5. While I have drawn my salary uniformly at $4.84 pr £ Stg. I beg respectfully to inquire if there be any remedy for this loss, & if so, how it is to be obtained.

For Contingent Expenses I have drawn on Messrs Baring Brothers 30 d/ at the current rate, and have also drawn the account rendered $90.68 to meet expenses there, but

for

for which the Vouchers could not be obtained in time for this mail.

I have the honor to remain, Sir,
with great respect,
your most obt Servt

Peter Parker

TESTIMONY OF KIYING,

Late Governor-general of Canton, Minister Plenipotentiary, Guardian of the heir apparent, &c., &c.

TO THE TRUTH OF CHRISTIANITY.

WITHIN a few years past, three Chinese statesmen have written and published their opinions regarding foreigners and foreign affairs, thereby affording clear indices of the march of improvement, and demonstrating that a spirit of inquiry is waking up and gaining strength in this land. We hail it as the dawn of a glorious day! The three men to whom we refer, are the late imperial commissioner Lin Tsehsü, the present governor of Fuhkien Sü Kiyü, and the late cabinet minister Kiying. The works of the two former are somewhat known, and Kiying, following their example, has published a work in seven volumes—only a single copy of which, so far as we know, has yet fallen into the hands of foreigners, and this we have not had the pleasure of seeing. The way the work came to the knowledge of foreigners is given in the following extract from a letter from the Rev. M. C. White, of Fuhchau, to a friend in Shânghâi.

"The imperial commissioner Kiying has published a volume of miscellaneous Essays. I yesterday obtained a copy of that and of other works of H. E. in seven volumes. A literary man offered it to me, saying he obtained it in Peking, from whence he has just returned to his home in this city (Fuhchau). I consider one section of said work on prayer to *Tien.shin* 天神 as giving high sanction to our use of *shin* 神 for God xa. ξχν. I send you herewith a copy of said Essay, which you may depend on as accurate."

In many respects, we regard this paper as one of great value, and as one which augurs well for the progress of truth in China. Taken in connection with the recent degradation of its author for his sympathies towards foreigners, it possesses more than usual interest. We may, indeed, surmise that his downfall was hastened by the publication of this paper, or of these Essays, but as we have no information on the point, we can only add the hope that the distinguished statesman who penned it may be led to look more carefully into the volume of inspiration, and fully learn the way of salvation. His re-instatement in power and favor seems at present improbable, even if his years are prolonged, and he may be inclined now to turn his attention again to these subjects. The hearts of rulers are in the hands of God, and we can but pray that this high officer may be brought to a saving knowledge of the Savior.

ORIGINAL EXTRACT FROM KIYING'S WORK.

上帝神神自轉弗古不靈惟拾作翌遂切公問寔是招客化處但網土有問詳主按禱天神祝交並序。兩廣總督者英撰

之有處死感嗟間鼓神遣祝日向罔自請無否撫晨之或凡捐惻無獨其也康熙西教此念所此教暗信驅念所此教各出神暗信驅念所此教各邪不免

格求作期神爾無無無乙文病空效述免不邪各出神暗信驅念所此教各邪不免

思輒善寘賜衆所惻私誌愈中偶其驅善正外使跪室之救群不一以人宇

萬許降刑奸生不念開考其此叩聞前除白及洋兩拜中者世生在位禮翻典

福拔祥痛詳罔親羣天云靈後請西各以宜前因粵謝洗惟死命無造神譯云

臨爾干悉貪知巍黎闔　感有册人得示具後查並罪心勿而帝所化悔之耶

汝永秋我嗔神平鑒宇　之求天所病采羨觀究奉祈悔拜復子不天罪本蘇

倘刑格願甘主神觀萬　異輒神傳鬼遠　察西　福遜諸生耶知神爲述西

衆救語世遭飽功下衆　以逐並祈神通　知人　而向偶請蘇因能主其國

爾從人神食聿土蚍　儻因耶福鑒幕　其所　已空像多降鑒主意行稱

罪此悔怒嗟招無緣　贖贔蘇之卜友　所習　余中或奇生觀宰謂跡救

苦褫心衣萬所羣記余名事一李　傳教　自造公跡塵下萬世甚世

Translation of the Preceding Chinese.

Form of prayer to the God of heaven, with a preface, composed by Kiying, governor-general of Kwángtung and Kwángsí. In the Dictionary of Kánghí, it is said, "*Jesus, western nations designate the Savior of the world.*" The books translated by western men, narrate the actions he wrought with great perspicuity. His religion regards the worship of God 神, and repenting of sins, as its essentials; and its teaching is, that in the world, there is only this one creating celestial God 天神 who has power to rule all things and creatures, who is everywhere present, and knows all things. Because, when looking down upon the earth, he commiserated mankind, he commanded his ruling* Son, Jesus 帝子耶蘇, to descend, and to be born into this dusty, toilsome world. He gave up his body to save the world; he died and rose again to life; and many were the miracles he wrought. Those who believe in him do not worship images; but in public places or in their private rooms, they purify their hearts and repent of their errors, and turning their faces towards the God of creation (or the creating God) in the empty space (*sc.* 空中 the firmament, the sky), they kneel and worship, beg forgiveness for their sins, and implore blessings.

Last year, I was commissioned to go to Liáng Kwáng, and also received the emperor's commands to tranquilize the affairs of the foreigners; and therefore made strict inquiry concerning the religion practiced by western men, in order to ascertain whether it was corrupt or pure: and having carefully examined all the time I was there, I came to know that what they teach had really nothing in it which was not good. I felt that I ought therefore, to memorialize the emperor, and request that, showing kindness to men from afar, he would not persecute or prohibit it.

Now it happened that my private secretary, Mr. Lí, told me of his sickness during the previous winter, and how that, when all recourse to the gods 鬼神, to the doctors, and the diviners, had utterly failed, he chanced to hear of what western men teach concerning praying for blessings; and at once turning his face towards the sky, he prostrated himself (*i. e.* made the *kotau*), and prayed, calling on the names of the God of heaven, and of Jesus. The next day he was quite well; and from that time whatever he asked in prayer he at once obtained.

He therefore called upon me to write a form of prayer, commemorating this extraordinary answer of grace, and I have prepared and put it into a record book for future examination:—

Prayer.

"God (*shin*) only is impartial; he opened the heavens, and spread abroad the universe; all that has form he protects, all intelligences 羣靈 owe their activity to him. He mercifully regards mankind.† Looking down upon the earth, there is nothing that he does not hear, nothing that he does not behold. How great are the works of God, shedding lustre through all time! But, alas! that ye, living men, ignorant of the Divine Lord 神主; and though fully fed and wa ly clothed, are ungrateful for these gifts of God! Depraved, deceitfu gain-seeking, and passionate, you willingly incur God's 神 anger The appointed day of death will come, and the punishment of Hade is painfully distressing. O, that you, men of the world, would chan your hearts, and reform your lives! 'Do good and call down felicity' are the excellent words of many ages. From this time forward worshi God, and whatever you ask he will give. He will deliver you fro eternal punishment, he will save you from your sins and misen 'The scrutinizing eye of God is on your thoughts;* [and if good blessings will rest upon you! Accept our offerings."

The latter part of the above is what is termed a *chuh wan*, prayer, and like most of such compositions among the Chinese written in a set style, and in short sentences of four characters ea The two last words might, with propriety, be rendered "Amen," they form the usual ending of prayers; but their literal meaning i given above. Instead of remarking further upon this paper oursel we insert a few observations upon it by Bishop Boone.

"It is very encouraging to us as laborers for the advancement Christ's cause in China to find a man so high in station, publish at Peking a paper in which he thus declares, that having 'exami the religion practiced by western men,' he has found it '*all ve good;*' and this too after he has set forth the *incarnation*, the *at ment*, and the necessity of *repentance*. This fact may encourage belief that a great deal more than we have ever ventured to hope may have been going on in this vast empire. What would have b considered more improbable than that a high imperial commissio should have spent (as we learn from this paper he did) any por of his time in writing a form of prayer addressed to the God worsh ed by the western men, whom he had been sent to pacificate?

"The case of Mr. Lí Ting here mentioned is very remarkable. recovery immediately after his prayer, gave occasion, we are told this paper. The supposition that this statement in the preface is fa can not be admitted, for Kíying could have had no object in per trating and publishing such a falsehood. And if we accept the fac here stated, and suppose that his friend Mr. Lí was really cu immediately after he called upon the names of the God of heaven of Jesus, then we have either a very remarkable coincidence, o signal interposition of Divine Providence in answer to prayer.

"This paper is of much interest also, from the light it throws on controversy respecting the rendering of the word *God* into Chin It has been very confidently asserted that the Chinese could never any correct idea of our meaning, if we say that '*Shin* made the he ens and the earth.' Dr. Medhurst, and the other signers of letter of the 30th Jan. 1850, assert that the insertion of *Shin* as translation of Θεος in the New Testament would render 'the wh work *unclassical* and *contemptible*.' As if to answer these assertio

---

* The exact idea of the word *tí* in this place is somewhat doubtful. Some of whom we have inquired, give it the sense of *godlike*, or *God*, making it a contracted expression for *Tien-tí* (Heavenly Ruler), or *Shàng-tí* (Supreme Ruler). Others render it "his imperial, or royal, son;" while others say it means "ruling." The context affords no light, and we hardly know which of the three words to choose; but as Kiying regards his *kwángti*, or emperor, as the *t'ien tsz'*, or son of heaven, delegated by Heaven to rule over the *t'ien-hiá*, or world, so we think he drew the idea from the books he read that Jesus held some similar position, and was delegated to execute his commission upon earth.

† The two phrases, *wán siáng* and *kiun ling*, denote all living and intelligent beings, but whether the writer intended to include incorporeal, spiritual intelligences only in the latter expression is not so clear.—The original for the word "mankind" is *kiun lí*, *i. e.* the host of blackhaired peoples; the word *lí* usually denotes only the Chinese, but here we think the context requires it to comprise all mankind.

* This sentence (*shin chí kiáh sz'*) is from the Book of Odes, Part III., c 3 §2, from whence it is also quoted into the Due Medium. The idea is, t the gods (*kwei shin*), being without form, can and do oversee and scrutinize secret actions of men in the most retired places, where even their teach never see them. In the Due Medium, this idea is illustrated by the ligh heaven coming into an inner apartment of a house through a crevice in the so is the glance of the gods into the thoughts of men. Kíying evidently re *shin* to the God he had before been speaking of, and does not mean the g (*kwei shin*) spoken of in the Shí King. The quotation was relevant to subject, and he introduced the sentence from the Classics to express power of the God he had before referred to. He seems to have had no su cion that such a use of his national Classics would render his composition ei vulgar or obscure, any more than it did Paul's speech when he quoted the Aratus before the Areopagus.

lere repeatedly uses *Shin*, and this character *Shin* too, standsolutely and without any adjunct whatsoever, as the name of reator. According to him, it is Shin who 'opened out the ns, and spread out the universe.' It is quite worthy of remark athe does not stumble at the monotheism he ascribes to Christians he says, 'According to their ideas, in the world there only is NI, creating, celestial SHIN.'

he assertion that the use of *Shin* for God in the New Testament render the work 'unclassical and contemptible,' will, I am very much prejudice the cause of truth in the eyes of those uainted with the Chinese language. The reader unacquainted Chinese might, from this assertion, suppose that the word *Shin* low, vulgar word, not used by any good writer, and that there- s use would render God's holy word contemptible in the eyes Chinese. This, however, is not the meaning of the writers of etter of the 30th of Jan. The word *shin* occurs all through the cs; it is not the word itself, but our using it for a purpose for it was never used by any Chinese classical author, that in the on of these writers renders our copies of the Chinese New Test. ssical and contemptible. I would beg the reader to fix his ion on this point. It is not pretended that the use of Shin for will violate any grammatical rule of the Chinese language, nor his is a low, vulgar word not used by any good Chinese writer; r opponents themselves use this word for the Holy Spirit, who d, and is to be honored and worshiped as God; but it is merely ct of our using this word in a manner in which it has never used by any classical writer—*i. e.* as the name of a Being whom ave never called by this name, that renders our copies of the Testament unclassical and contemptible.

he first remark I shall make on this is, What an unreasonable ion of heathen writers have we here by Christian missionaries. t does the principle here laid down amount to but this:—'If the s used in the translation of the New Test. into a heathen lan- e can not be found used in the same sense in the writings of the en classical writers of said language, the whole work is unclas- and contemptible.' When laying down this canon—'unclassical contemptible,' the writers, I am sure, could not have reflected the sentence they were passing upon our Greek Testament, s they design to claim more for the Chinese classical writers for the Greek. There are many, many Greek words whose use e N. T. does not correspond with that in the classical writers. Dr. Medhurst and his friends would not deny, and yet, I am sure, is a case in which they would not say 'unclassical, *ergo* con- tible.' Why then should the Chinese Classics be elevated into ristian man's standard of what is contemptible or otherwise?

n the next place, I would observe that this canon seems to have as got up, by the writers, merely to suit the case in hand and for whol t use against their opponents, without pausing to reflect what ions it might have upon other parties, as it is capable of being turned qual effect against themselves.

hat is the offense charged? That, notwithstanding 'Shin has been employed by any Chinese writer to designate God by way inence,' we have used this word for this purpose in our copies New Test., and the whole work is therefore unclassical and mptible. I wish, that instead of merely making this assertion, M. and his friends had taken the trouble to point out to us how se of an appellative noun καθ' ἐξοχην, to designate an individual who had never been designated by it before, could render a either unclassical or contemptible. There is no one of the an race who has rendered himself so eminent as to be styled in n the Man καθ' ἐξοχην; but if a writer should thus designate any individual, he would violate no law of the English language; it would excite no contempt in the minds of English readers; and the propriety of his using this phrase to designate the individual in question would turn, not upon the fact *whether the classical writers in English had ever so employed this phrase before*, but upon the *eminence* of the individual so styled. The use of some appellative nouns in this καθ' ἐξοχην way to *designate definite individuals* can not be avoided in translating the Sacred Scriptures into the languages of heathen nations, and that whether the classical writers in these languages have preceded us or not in such καθ' ἐξοχην use of these words. *E. g.* It will readily be admitted, I suppose, that the appellative noun *fú* 父 father, has never been used in Chinese to designate the first Person of the blessed Trinity, as the Father καθ' ἐξοχην; if then, in translating the sentence 'the Father himself loveth you,' we should use this word *fú* 父 to designate the first Person of the Trinity, who is here designated by the phrase 'the Father;' as no instance of such a use of this word can be found in the Chinese Classics, if this canon is to be adhered to, the work would thereby be rendered 'unclassical and contemptible?' And so too in the case of the word *tsz'* 子 son, if used to render 'the Son,' in the sentence, 'If the Son therefore shall make you free, ye shall be free indeed.'

"Or, take a case still more in point: 'The Spirit himself beareth witness with our spirit,' &c. Here the absolute appellative noun *spirit* is used to designate him, who is the Spirit by way of eminence—the third Person of the Trinity. It is certain that no classical writer has ever used any word in Chinese to designate this Being; what do our friends do in such a case? If they use a word in a way not sanctioned by the classical writers, their whole work will be unclassical and contemptible; with great inconsistency they have used this very word *shin*, though I am well assured they can find no classical sanction for such a use.

"The appellative name for *god* in Chinese must be used in this emphatic manner to designate the true God, and that whether we have any Chinese precedent for it or not. In his letter of the 30th January 1850, Dr. Medhurst admits that, when in preaching he uses the phrase Shángtí, he designates thereby no being with whom the Chinese were previously acquainted; classical authority can not therefore be *pleaded* for the use of this phrase to designate the true God, and if the canon 'unclassical, *ergo* contemptible,' is to stand, we must write these words upon the cover of all the New Testaments in which the word *God* is rendered by this phrase. Happily, this canon is of no binding force. Kíying knew nothing of it, and accordingly uses *Shin* for God all through this paper.

"We have now had the Apostles' Creed rendered into Chinese, for several years in use in Shánghái. The first clause, 'I believe in God the Father Almighty,' is rendered by the Chinese characters 我信一神聖父全能者, I believe there is only one Shin, the Father Almighty.' This Creed has been read by many hundreds of Chinese, and has been repeated in the hearing of many hundreds more, and yet none of us, who have been using it, have ever had it objected to by any native of this land; nor have we ever seen an instance of its exciting contempt in the mind of *any one* towards this venerable symbol of the Christian faith.

"That there is no example of such a use of *shin* in the Chinese Classics, I, for one, freely admit; but that the use of this word for God violates any rules of the Chinese language, or that it will offend the Chinese, or in any way excite their contempt, I confidently deny, both from its use in this paper by Kíying, and from the test we have made of it in the Apostles' Creed, with hundreds of Chinese, as I have mentioned above."

Hon: Danl. Webster

with the respects of

S. Foote.

Canton 25th Jan. /51

No. 2.

Legation of the United States,
Canton 8th Feb. 1851.

Sir,

I have the honor to be in the receipt of your Excellency's despatch of the 4th instant, from which I learn with great pleasure your Excellency's accession to the office of Governor of the Provinces of Macao, Timor & Solor.

For the friendly sentiments with which your Excellency has been pleased to accompany this announcement, accept the most cordial acknowledgements on behalf of this Government I have the honor to represent. I need not assure your Excellency how cheerfully the Representatives of the United States in China will avail themselves of every opportunity of perpetuating, to the extent of their power, any friendly offices between the two Governments.

With best wishes that yours Excellency's wise and able administration,

To the

His Excellency Francisco, Antonio Sousa Coutinho
Governor of Macao &c &c &c.

the Province may be restored to their
more than its pristine prosperity, Social,
Commercial & political, I have the honor
to be, with sentiments of distinguished
consideration, your Excellency's
Very obedient Servant.

Peter Parker

No. 1 Translation.

Government of the Province
of Macao Timor & Solor

General Despatch.

No 5.

Macao 6th February 1851.

Sir,

I have the honor to inform Your Excellency, that Her Most Faithful Majesty having been pleased in Her Royal confidence to place the Government of this Province under my charge, I took possession thereof on the 3 day of the present month of February.

It devolves upon me on this occasion to have also the satisfaction to offer my services to Your Excellency, and to place at Your Excellency's disposal what other resources are at my command, to be made available for the good service of the Government Your Excellency so ably represents in China.

I have the honor &c

Francisco Antonio G. Cordozo

His Excellency Governor.

Dr P. Parker

Commissioner of the United States of America

to China.

Recd 24th June. A. H. Dennis.

No. 13. Legation of the United States,
Canton, 28th March, 1851.

Hon: Daniel Webster
Secretary of State.

Sir,

Herewith I have the honor to transmit the correspondence of this Legation the past month. Enclosures Nos 1. to 7. inclusive, and No 9. relate to an assault upon Messrs Manigault and Cunningham, citizens of the United States, who, in an excursion to the mountains on the north of this city on the 2nd instant, were wounded and robbed by a band of Chinese ruffians, and narrowly escaped a violent death. The treaty guarantee of security of person and property is comparatively a dead letter, and very little satisfaction is to be derived from correspondence with this Government whenever it is violated.

It was not to be expected of the Imperial Commissioner to fall into such an error in quoting treaty stipulations

stipulations as he did in his despatch of the 2nd instant (No 5.), in which he speaks of its being required of foreigners, when about to take an excursion into the country, to give previous notice, that persons be appointed to protect them. An arrangement of this kind was made some years since by the British local authorities with the Chinese (No 14) but never to my knowledge has any British subject availed himself of the proffered escort, and the doctrine that a foreigner cannot go out without being attended by a posse of police has been uniformly repudiated as disagreeable and of no utility. I have deemed it my duty to claim what the treaty provides and to this to make over appeal.

On the 15th instant the two volumes of the United States Exploring Expedition were duly forwarded for the Emperor of China, (No 8) the receipt of which is acknowledged in His Excellency Yen's despatch of the 23 inst. (No 9). On the 19th instant I had the honor to receive by the hands of O.A. Parker Esq. Case of Despatches, four unbound

volumes

volumes of the United States "Statutes at Large" &c, for 1845-1846 to 1847-1848 inclusive.

In accordance with the views expressed in Despatch No 11. of the authority possessed by this Legation to frame certain Regulations which had been called for, I have now the honor to transmit a copy of "Rules and Regulations for Masters, Officers and Seamen of vessels of the United States of America at the free Ports of China" which have been assented to at the Consulate in Canton, and have been forwarded for the assent of the United States Consuls at Shanghae and Amoy - as required by the 5th Section of the Act of 11 August 1848 with request for such suggested modifications and additions as local peculiarities of their ports may possibly require. (Vide Circular Enclosure No 11.) On the receipt of the replies of said Consuls to the above circular no time will be lost in transmitting a copy of these Rules and Regulations, with such modifications as may then be adopted, to the President to be laid before Congress

for

for revision."

I beg to call your special attention to the communication of an English Firm, Messrs Reiss & Co, addressed to this Legation on the 22nd instant (Vide No 12) and my reply of the same date (No 13). The question therein presented is an important one, and the principle by which it is answered, will settle many other analagous cases that may arise. The case to which reference is made by Messrs Reiss & Co, was one in which £10.000 stg were involved. The laws of the United States giving an advantage over English laws in such cases, the former providing that process may be instantly taken, on the non-acceptance of the bill, for the recovery of the amount with 20 per cent damages, whereas by the latter, process cannot be had till the maturity of the bill, and then, without the same percentage for damages - it therefore becomes a subject of moment to know by which, or what, law indemnity is to be sought.

I have endeavored to be guarded in my reply, till your decision can be ob-

tained

tained, advisedly stating that such case, should one occur, will be decided by the Consular Court "according to common Law and Equity." But, to the credit of our countrymen, it will be impracticable to ascertain the rules or principles of this law here, in respect to dishonored bills, in the records of Courts and in the reports of judicial decisions, for hitherto, neither have been called into existence by the bankruptcy of an American Firm in China.

Your decision of the question of Messrs Reiss & Co, is respectfully and specially requested, and allow me further to inquire if, according to the 15th Article of our treaty with China, since the passage of the Act of 11th August 1848, a British subject can obtain redress, in any given case, before the United States Consular Court in China, in the same manner that he would be entitled to in a similar case between him and a citizen of New York (or any other of the United States), residing at home, before the courts of that State, and, as an American citizen

can

can have the same satisfaction before a British Consular Court in China as he would have in the same case before the courts of England, or in any of the British Colonies?

There seems to remain very little doubt that the Emperor of China is resolved upon very stringent measures for the prevention of the use of Opium. A copy of the Imperial Edict upon the subject which is said to have reached Canton, I expect in a few days. The crime is said to be made punishable by strangulation.

With sentiments of distinguished consideration, I have the honor to remain,

Sir,

Your most ob't Serv't

Peter Parker

No. 1.

Wtt D. Parker's No 13.

H. B. Majesty's Consulate
Canton 3 March 1841.

Sir,

I have the honor to hand you herewith the Depositions of Messrs Lane, Maingault & Edward Cunningham, relating to a violent attack on them, yesterday, back of the City while peaceably pursuing their way, please take such action in the matter as the circumstances of the case require, I am

Very Respectfully
Your Ob't Servant
(signed) R. B. Forbes
Vice Consul

Peter Parker Esq
Chargé d'Affaires
ad interim
Canton.

No. 2.

Consulate United States America.
Canton 3d March 1851.

Before me A. B. Forbes Vice Consul of the United States of America for the city of Canton China personally appeared Edward Cunningham a citizen of the United States and declared that he has resided at Shanghae, and that he has peacefully walked in the vicinity of the cities of Shanghae and Canton and never was molested until yesterday he went in company with Louis Manigault to walk back of the city and that the circumstances of the robbery and cutting are precisely as stated by said Manigault and that he the said Edward Cunningham was robbed of a valuable gold watch and chain, a pencil case and tooth pick case of gold a small pocket knife, two dollars in money, his coat of white cloth & his handkerchief; and his person severely wounded - particularly his right hand badly injured by sabreing by the

the bones of our finger. In witness
whereof I hereunto set my hand
and affixed my seal of office
the day and year first written

(Signed) R B Forbes
Vice Consul

No. 3.

Consulate United States America
Canton 3d March 1851

Before me R. B. Forbes Vice Consul of the United States of America for the city of Canton China, personally appeared Louis Maingault a citizen of the United States, and declared that he came to China in August last and has since been to the Northern ports of Shanghae, Ningpo, and Amoy, that yesterday morning he went in company with another American named Edward Cunningham to take a walk in the country back of the city, that they ascended to the top of the hill called Pak-saw-shan (White Cloud Mountain) and after remaining there some time they returned to the foot of the hill and there saw thirteen men assembled, but seeing no harm they proceeded to the immediate vicinity of the men who were standing apparently unarmed near to the road side, when deponent came abreast of them they rushed out with the intention of seizing him and his companion, which he and his

com

companion persisted by holding up their
arm brellas, these being their only means
of defence - whereupon they drew out
their swords and inflicted severe wounds
on his head and shoulder and having
thereon him down robbed him of a
silver watch, five dollars in money, a
note book containing a silver pencil, a
pocket book and a cigar case and then
left him and his companion bleeding on
the ground and that with the loss of
much blood that they fortunately re-
turned to the factories alive and came
to the Consulate for advice and protec-
tion, and had their wounds dressed.

In witness whereof I Thomas
Hennessy set my hand and
affixed my seal of office the
day and year first written.

(Signed) R B Forbes
Vice Consul.

No. 4.

Legation of the United States
Canton 3 March 1851.

Sir,

The Undersigned Chargé d'Affaires ad interim, of the United States of America to China has the honor to address your Excellency and to state that A.P. Forbes Esq. Vice Consul of the United States, has this day represented to him that Louis Maniganett and Edward Cunningham Citizens of the United States have this day deposed before him that in taking a excursion to the White Cloud Mountain in the north of the city yesterday, & when near the Ti Tien Temple, they were assailed by thirteen Pagabonds, who inflicted severe wounds upon their persons, and robbed them of their watches, and other valuable articles. That Mr Maniganett received two severe wounds, one on each side of his head, & a third upon his shoulder, & Mr Cunningham was cut in his head, severing one of the bones, and cut speared in his leg, & both with the loss of much blood fortunately escaped

them

H.E. Sec Imperial Commissioner &c &c.

their residence & murdered others &c. The said Vice Consul therefore addressed the Undersigned requesting him to take such action as the circumstances of the case require &c.

The Undersigned as he trusts he has lost no time in addressing your Excellency with the request that prompt measures be taken to arrest & punish these murderous men, and to recover the plundered property, a list of which is subjoined - that peaceable citizens of the United States may be protected in their persons & property, and that hereafter the lives of his own Countrymen may be secured against the assaults of brutal men.

The Undersigned avails himself of this occasion to present your Excellency the compliments of the season, & has the honor to remain

Sir,

Your Excellency's
Obd Servt

Peter Parker.

L. S.

List of articles plundered.

One gold watch & gold watch chain.
One gold watch key.
One silver watch & key.
One gold tooth pick.
One small knife.
One gold pencil & one silver pencil.
Two gold finger rings set with gems.
One pair silver suspenders
One pair silk do.
Two cards & one pack.
One note book.
One pair opera glasses.

No. 5

Sir, Governor General and Imperial High Commissioner &c &c &c.

Has the honor to acknowledge the receipt of the Hon. Commissioners public despatch of the 3 inst, which I have perused & fully understand.

I have examined into the subject of Messrs Mainguard & Cunningham, citizens of the United States, having been wounded, and find that I the Minister early received the report of the officers of the said place, stating they had ordered the arrest of the offenders. This is on record. I have also examined & find that it is contained in the treaty, that when foreigners make excursions it is necessary to inform the local authorities that they may appoint men to protect them: now the present affair has arisen from Messrs Mainguard & Cunningham, & their option taking an excursion without giving notice that they might be protected. Moreover the neighborhood of the White Head Mountain, is not ordinarily infested with vile vagabonds,

but

past I hear that three or four days previously some ladies belonging to your Hon: Nation proceeded on an excursion to that place, hence it arose that the vile vagabonds conceived the idea of committing violence upon them but failed of this object & the two men, Mainguard & Cunningham just at this time meeting them, gave the opportunity for executing their purpose. The Hon: Commissioner must certainly be well aware that the people of the province of Canada are crafty & subtle in their dispositions, & that those who delight in mischief are many, and hereafter it will be absolutely necessary to inculcate & impress upon citizens of the United States that in order to secure that no injury arise, they positively cannot go out on excursions privately. Those troublesome vagabonds, as is right shall be searched for, pursued & arrested, & rigorously prosecuted to the utmost.

As requisite I make this reply and avail myself of the opportunity to present the compliments of the season.

Yrs

The foregoing is addressed to Peter Parker Chargé d'Affaires, ad interim, of the United States of America at Pekin.

Recd Aug 1st year 2 M. 3d day.

7th March 1854.

No. 6.

Legation of the United States
Canton 8 March 1851

Sir,

I take this opportunity of acknowledging your communication of the 3d inst, accompanying the depositions of Louis Marigault & and Edward Cunningham Esqrs, & to state that the day of receiving the same I laid the grave subject of their complaint before the Imperial Commissioner, & yesterday received His Excellency's reply, a translation of which is herewith enclosed. His Excellency has fallen into an error, in regard to the provisions of the Treaty to which I shall early call his attention.

I am Respectfully
Your Obedient Servant

Peter Parker.

R. B. Forbes Esq
U. S. A. Vice Consul
Canton.

No. 7.

Legation of the United States,
Canton, 15th March 1851.

Sir.

The Undersigned Chargé d'Affaires, ad interim, of the United States of America to China, has the honor to acknowledge the receipt of Your Excellency's communication of the 7th inst, in which it is stated "Your Excellency "have found on examination that by Treaty "it is provided that when foreigners make "excursions it is necessary to inform the "local Authorities that they may appoint "men to protect them, and that the "affair of Messrs Morrigault and Cun- "ningham arose from their taking an "excursion at their option without "giving notice that they might be protected."

The Undersigned begs to inform Your Excellency that he has examined the Treaty between the United States & China, and finds no such provision, but, by the 16th & 17th Articles, it is provided, that citizens of the United States shall be permitted to pass and repass in the

To H.E. Sen, Imperial High Commissioner.

neighborhood of their residences, and that they shall receive and enjoy for themselves, and everything appertaining to them, the special protection of the local authorities of government, who shall defend them from all insult or injury of any sort on the part of the Chinese.

In June 1848 it was definitely settled with Your Excellency that "the limits allowed citizens of the United States at the five ports, for exercise and recreation, shall be the distance of one entire day for going and returning."

Apprehending that the people are not yet distinctly informed of the provisions of the Treaty, the Undersigned, as before, respectfully requests Your Excellency will, at an early day, issue his proclamations at each of the five ports, and in all the villages of these ports within one day's excursion, that the people may know what the Treaty provides, and rigorously enjoin upon the local authorities of every place, that they defend said citizens from insult and injury. - That thus the

the long existing harmony and good understanding between our respective countries may be promoted.

Half a month has now elapsed since the assault upon Messrs Mansgault and Cunningham, but the Undersigned is not informed that the offenders have been arrested or the plundered property recovered. From the proximity of the place where this assault was committed to the Provincial city, it cannot be difficult to arrest the vagabonds, and the sooner the property is recovered the easier, and as one of the said citizens is about to leave China, it is desirable the affair be wound up without delay, and his property restored to him.

The Undersigned avails himself of this opportunity to renew to Your Excellency, the assurance of his high consideration, and has the honor to remain,

Your Excellency's Obt. Servant

Peter Parker.

(L. S.)

No. 8.

Legation of the United States,
Canton, 15th March, 1847.

Sir,

The Undersigned Chargé d'Affaires, ad interim, of the United States to China, has received from His Excellency the Secretary of State, Washington, two volumes of the United States Exploring Expedition, in continuation of those presented His Imperial Majesty the Emperor of China, on the 14th January 1846.

The present volumes which treat of Mammalia, Ornithology and Zoophytes, the Undersigned, in accordance with the instructions of his government, has great pleasure in respectfully transmitting Your Excellency, with the request that in the name of his government, they may be presented His Imperial Majesty, as a token of the ever augmenting friendship and good correspondence between the two Countries.

To His Excellency, See, Imperial High Commissioner

The Undersigned avails himself of this occasion to renew to Your Excellency the assurance of his high consideration, and has the honor to remain,

Sir,

Your Very Obt. Servt.

Peter Parker.

No. 9.

Lieut Governor General, Imperial High Commissioner &c &c. has the honor to acknowledge the receipt of the Hon. Commissioners two Despatches of the 15th inst, all of which I fully understand. Moreover, I have received the two new Volumes of the United States Exploring Expedition which are truly, as stated in his despatch, a token of the ever augmenting friendship and good correspondence between the two Governments.

As to Messrs Mangault & Cunningham, who took an excursion, and were plundered in consequence of their not giving previous notice to the local Authorities that they might appoint men to protect them, it is stated in the Despatch that the limits (allowed) citizens of the United States for exercise and recreation is the distance of one entire day for going and returning, and apprehending the people are not distinctly informed of it, the request is made that Proclamations be issued at the five ports &c.

1

I have examined and find that at the Seng Yuen (Bonsoo) Military Station soldiers have been appointed for the sole object of protecting foreigners, and it has been deliberated, that when any take an excursion, to appoint men to accompany them, and for several years this has been universally understood both far and near, what necessity then is there to issue Proclamations?

As to the affair of Messrs Manigault and Cunningham, truly the fault is with your Hon: countryman who did not give previous notice.

Now it appears that the Ewan yin Magistrate has reported, that "if the persons who created the disturbance, he has arrested a man named Seng Ahang, who testifies that on the 2nd of March an intimate acquaintance of his named Yeh Ahsan informed him in conversation that a hired laborer in your Hon: (nation's) factory, whose surname he did not know, but whose name is Ahsung, knowing that some persons belonging to your Honble nation, upon that day were to go upon an

" an excursion to the White Cloud
" Mountain, they (Achung & Mc Aleaon)
" consulted together and (Achung) invited
" (Mc Aleaon) to call his companions to
" waylay and plunder them, agreeing to
" raise a number of men for the pur-
" pose. The said criminal only knew
" Aleaon and Achung &c"

Now the Magistrate is still issuing his injunctions to make search for & to arrest (the guilty), and I request the Hon: Commissioner will immediately examine and ascertain clearly by inspecting the hired laborer Achung and deliver him over to me for the convenience of confronting and prosecuting the parties.

As requisite I make this reply and avail myself of the occasion to present the compliments of the season &c.

The foregoing communication is addressed to Peter Parker, Chargé d' Affaires ad interim of the United States of America to China.

Hëen Fung 1 yr. 2 M. 21 day
23rd March 1851

No. 10

OFFICIAL NOTIFICATION.

LEGATION OF THE UNITED STATES,
Canton, 10*th March*, 1851.

The Undersigned, Chargé-d'Affaires, *ad interim*, of the United States of America to China, hereby publishes, for the information of those whom it may concern, the following Regulations; which have been adopted liable to such modifications as future experience shall suggest, and subject to the revision of Congress as provided by the 6th Section of the Act of Congress, 11th August, 1848 (*Appendix* A.); but in the meantime, as provided by the 4th Section of the same Act (*Appendix* B.), having the force of law.

PETER PARKER.

RULES AND REGULATIONS

FOR

MASTERS, OFFICERS, AND SEAMEN,

OF VESSELS OF THE UNITED STATES OF AMERICA.

AT THE

FREE PORTS OF CHINA.

Laws of the United States extended over its citizens in China. Masters and officers of vessels required to exercise due vigilance over seamen.

1. Whereas jurisdiction over citizens of the United States within the Empire of China being by Treaty reserved to the United States, by Act of Congress, approved 11th August, 1848, the Statute Laws and Common Law of the United States have been extended over said citizens in China, so far as they shall be found applicable in all Civil and Criminal cases (*App.* B.); to avoid, as far as possible, the necessity of executing said Laws in such cases, it is hereby specially enjoined upon masters and officers of vessels of the United States to use due vigilance to preserve the peace, and prevent difficulties between all seamen and subjects of China, while anchored at either of the five Free Ports.

Seamen not to land except in charge of an officer, nor to be absent from the ship over night.

2. Seamen are not allowed to land in the vicinity of the Anchorage of the vessel to which they belong, or to visit the neighboring city, without permission of the Captain or commanding Officer, and then under charge of an officer of the vessel, and in no instance to be absent from the vessel over night: *Provided*, however, that the Master may make exception in favor of those seamen in whose good character he can confide, and for whose correct conduct he is responsible. The Master, or officer in command, will judiciously decide the number of sailors to be absent from the vessel at any one time.

Number of seamen absent at one time.

Time of absence to be specified.

3. Seamen absent from the ship, whether in the vicinity of the anchorage, or at the neighboring city, shall be on board within the time specified by the Master or commanding Officer;—should any fail of so doing, or be guilty of misconduct, while thus absent, they shall be liable to punishment by fine or otherwise, at the discretion of the Consul, or Consular Agent.

Seamen liable to punishment.

Masters recommended to employ registered China boats.

4. Chinese boatmen having voluntarily consented to be registered at the Consul's, or Consular Agent's office, it is recommended to Masters of vessels, in employing Chinese boats while in port, to give employment to such only as submit to such registration.

Chinese boats to approach vessels at specified times.

5. Chinese boats with fruit and small articles of trade, *spirituous liquors excepted*, are permitted to approach ships, but only at such times during the day, as the Master or commanding Officer may deem proper.

Claims of Chinese subjects against seamen to be cancelled, and frauds prevented.

6. Masters of vessels are required, on the one hand, to see that all just claims of subjects of China against seamen belonging to their ships are duly liquidated; and on the other to prevent, as far as possible, the Chinese from defrauding seamen.

Acts of robbery and violence to be reported.

7. Serious collisions occurring between citizens of the United States (whether seamen, or others belonging to an American vessel) and subjects of China, in which robbery or violence is committed by either party, or in which the death of a Chinese or foreigner ensues, the Master or commanding Officer of the vessel to which the latter belongs, shall, without delay, report the same to the United States Commissioner to China, or to the Consul or Consular Agent of the port in which the crime is committed, in order to immediate judicial investigation and action.

ASSENTED TO.

R. B. FORBES,
Vice-Consul of U. S. A. at Canton.
March 14th, 1851.

APPENDIX.

FROM ACT OF CONGRESS, 11TH AUG. 1848.

A.

SEC. 6. *And be it further enacted*, That all such regulations, orders, and decrees shall, as speedily as may be after publication, be transmitted by the Commissioner, with the opinions of his advisers, as drawn up by them severally, to the President, to be laid before Congress for revision.

B.

SEC. 4. *And be it further enacted*, That such jurisdiction in Criminal and Civil matters shall, in all cases, be exercised and enforced in conformity with the laws of the United States, which are hereby, so far as it is necessary to execute said Treaty, extended over all citizens of the United States in China, (and over all others to the extent the terms of the Treaty require,) so far as such laws are suitable to carry said Treaty into effect: but in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies, the Common Law shall be extended in like manner over such citizens and others in China; and if defects still remain to be supplied, and neither the Common Law nor the Statutes of the United States furnish appropriate and suitable remedies, the Commissioner shall, by decrees and regulations which shall have the force of law, supply such defects and deficiencies.

No. 11

Circular.

Legation of the United States,
Canton, 14th March 1857.

Sir,

The attention of this Legation having been called to the expediency of framing General Regulations for the control of seamen in the ports of China, I have the honor of transmitting for your assent the accompanying Rules and Regulations for Masters, Officers, and Seamen, of Vessels of the United States, at the five Ports of China.

While submitting this Code for your assent, any modifications or additions, which, in your judgment, will render them more complete, or better adapted to local peculiarities which may exist at your port, will receive due consideration.

In relation to the registration of Chinese boats (Vide Art. 4th), it is obvious that we have no right to compel the Chinese to submit to it, but if the Chinese at your port view the subject as they have done here there will be no difficulty upon this point.

I remain &c.

A number of Chinese boatmen at Wampoa have with much humanity volunteered to be registered at both the British and United States Consular Agent's office. The number in English upon each boat can be easily recognized even by the common Sailor, and thus the boat and owner be identified. For the want of some such method of identifying the boats, serious losses, as I am informed, have been sustained.

It is desirable a copy of these Regulations be furnished each vessel as early as practicable on arriving in port.

Having subscribed your assent, or otherwise, to the enclosed copy of said Regulations, you are requested to return the same to this Legation.

I have the honor to remain,

Sir,

Very respectfully
Your Obedient Servant

Peter Parker

N.B.

Addressed to the U.S.A. Consuls,
Shanghai and Amoy.

No. 12.

Canton 22d March 1841

To the Honble Peter Parker
Chargé d'affaires ad interim
of the United States of America

Sir.

A Constituent of ours to whom
sometime ago remitted a bill of
exchange, drawn by a citizen of the
United States, resident in China, on a
Firm in London, which bill on
presentation in London, was first refused
acceptance, but eventually honored; is
by this circumstance induced to ad-
dress the following questions to us, for
a solution of which, we take the
liberty to ask at your hands;

"Are the laws, which are in force in the
"United States of North America with
"reference to bills of exchange also extended
"to and binding to all intents and purposes
"on, citizens of the United States, resident in the
"empire of China, both as regards their
"intercourse with natives of China, and
"with subjects of other nations, residing at the five Ports?

We have the honor to be, Sir,
Your most obedt. servts
Reiss & Co.



No. 13.

Legation of the United States,
Canton 22nd March 1851.

Messrs Bissbee
Canton,

Sirs,

In reply to your communication of this date, in which you inquire, "are the laws, which are in force in "the United States of North America "with reference to bills of exchange "also extended to and binding to "all intents and purposes on citizens "of the United States, resident in the "empire of China, both as regards "their intercourse with natives of China, "and with subjects of other nations, "residing at the five Ports?" I have to state, that the Act of Congress of 11th August 1848, entitled, "An Act to carry into effect certain Provisions in the Treaties between the United States of America and China and the Ottoman Porte" has for its primary object the fulfillment of the Treaties as they affect citizens of the United States and the subjects of China and of the Ottoman Porte:

and

and that this primary object is still further apparent, from the terms of the 4th Section of said Act by which the Laws of the United States, "so far as is necessary to execute said "Treaty, are extended over all citizens "of the United States in China, and "over all others to the extent the terms "of the Treaty justify or require, so "far as such laws are suitable to "carry said treaty into effect &c"

By the 15th Article of the Treaty between the United States and China, it is provided, that "all controversies "occurring in China between citizens "of the United States and the subjects "of any other government shall be "regulated by the treaties existing between "the United States and such governments "respectively without interference on the "part of China."

In the absence of Specific treaty Stipulations, touching the subject in question, between the United States and foreign governments whose subjects may be resident in China,

I would

should such case arise as your inquiry presupposes, requiring judicial action, it will be competent to prosecute it before the United States Consular Court in China, by which Court it will be decided according to Common Law and Equity.

I have the honor to remain
Sirs,
Your Very Obedient Servant

Peter Parker

No. 14.

Diplomatic Department.

GOVERNMENT NOTIFICATION.

His Excellency Her Majesty's Plenipotentiary, &c., &c., has directed to be published the annexed Regulations, transmitted by the British Consul at Canton, and agreed upon between that officer and the Chinese authorities.

By Order,

A. R. JOHNSTON.

Victoria, Hongkong, 2d February, 1848.

REGULATIONS.

1st, Twenty Policemen, whose names are registered at the British Consulate, have been appointed to be in constant attendance at the principal Guardhouse in Old China Street (the Consoo-house), with the understanding and for the special purpose that, on Foreigners desiring to make excursions for recreation into the surrounding country, the special officer on the station and the assistant magistrate of Nan-hae are to appoint two Policemen and a Linguist at the requisition of the Consul to accompany each party, if there should be two or three, or perhaps more of them in one day, to the respective places indicated in such requisition.

2d, On Foreigners going out, the Consul, in order to prevent mistakes, will give previous notice thereof, and state the particulars to the special officer at the Guardhouse, who will appoint the requisite number of Policemen and Linguists to proceed to the Factory where, and at the time when, their services may be wanted.

3d, If any of the Policemen should give rise to troubles, the special officer will, as occasion may require, exchange them for others and give information thereof to the Consul.

4th, The Policemen are to receive a daily allowance from the District Magistrates in food and pay, and have no right, therefore, to demand the smallest extra remuneration for their services. They are to be distinguished by official caps and dresses and by waist-badges, in evidence of their authority.

5th, The Policemen and Linguists so appointed will, on accompanying Foreigners by water, go in the boats of the latter, as they might fall behind or go astray if embarking in separate vessels.

6th, It is expected that the Policemen will be well treated during their attendance on Foreigners; should the former, however, be troublesome, or fail to do their duty and to maintain the laws, the Consul will give information thereof to the special officer on the Station, who will instantly dismiss them and substitute others in their places.

7th, The Policemen and Linguists employed upon this service, are to be especially instructed by the local authorities that Foreigners are entitled to roam in the surrounding country to such distance as may be traversed either by land or by water in one day out and home; that it is lawful for them to shoot game in places apart from the villages, and to fish in the rivers and running waters; but that their entering the villages and other inhabited places must be carefully avoided for the present.

8th, In order to prevent misunderstanding and disputes, the Policemen and Linguists, as well as the persons availing themselves of their services, are to be furnished, the former by the local authorities, and the latter by the Consul, with printed copies of the present Regulations, which are to take effect on the 15th February next, corresponding with the 11th day of the first Chinese moon.

F. C. MACGREGOR.
Her Britannic Majesty's Consul.

Canton, the 28th January, 1848.

(True Copy,)

A. R. JOHNSTON.

5 July

R. 8 Sept

No 14. Legation of the United States
Canton 21 April 1851.

Hon: Daniel Webster
Secretary of State.
Sir,

I have the honor herewith to transmit you my note to the Imperial Commissioner of the 28th ult. in which I have stated distinctly that the Treaty is the law by which the intercourse of the two nations is to be regulated (vide enclosure No 1.) and His Excellency's reply of the 2nd Inst (vide No 2) in which compliance to the local regulations entered into with the English 23 Jany 1848 is strictly urged.

No part of the plundered property of Messrs Cunningham & Maingault has yet been recovered, nor any satisfaction given beyond promises that the guilty shall be arrested & punished.

Enclosures Nos 3. 4. 5 & 6. relate to the affair of our Consul at Amoy. I defer comments upon this subject till my next

mail, except to observe that in the despatch of the Governor Lieutenant Governor of Shantung (No. 7) the right of China to adjudicate in litigations between its own subjects is made prominent.

The United States Ship "Saratoga" arrived in these waters on the 8th inst, and I shall renew the request that one of the vessels at an early date will visit Amoy.

The troubles in Kwangsi still remain unsettled, & a despatch has recently been received from the Privy Council at Peking announcing the appointment of two more Commissioners to proceed thither and take charge of the military operations. One of these is Yeh Ming-chen who held the office of Judge in Formosa in 1840-1. & who distinguished himself by the decapitation of a number of British subjects who were unfortunately wrecked upon that island.

Within the last month the Imperial Commissioner has had difficulty with the gentry of this province, relative to the literary

cf

examination, calling forth a long memorial from His Excellency to the Emperor, and it is thought a counter representation will be made by the gentry. His Excellency's popularity has depreciated very much of late, & but few of his public acts meet the general approbation. The Imperial Edict alluded to in my last, in respect to Opium, simply contains a recapitulation of the old laws of the land regarding its use, and requiring conformity thereto.

The Spanish Mission to China has been discontinued, & D. E. Sinibaldo de Mas late Minister Plenipotentiary, & Envoy Extraordinary, returns home by this mail.

With sentiments of profound respect, I have the honor to remain, Sir,

Your most Obedient Servant

Peter Parker.

Mr Parker's No 14

No. 1.

Legation of the United States,
Canton, 28th March, 1851.

Sir,

The Undersigned Charge d'Affaires, ad interim of the United States of America to China, has the honor to be in the receipt of Your Excellency's communication of the 23d inst. in which Your Excellency states that you find on examination that at the Long Ngan Military Station soldiers have been appointed for the sole object of protecting foreigners, & that it has been deliberated that when any take an excursion, to appoint men to accompany them.

— As to the affairs of Messrs Mansfield and Cunningham, that the fault is with themselves in not giving previous notice, and moreover the Hoan Ngan had reported that one of the offenders had been arrested who deposed that a hired laborer in the paint (Medicine) factory, named A Chung, gave the information that Citizens of the United States would that day to visit the

To His Excellency, Sen, Imperial High Commissioner

to Lin

White Cloud Mountains &c. Your Excellency therefore requests that he might be detained over for the convenience of confronting and prosecuting the parties &c."

The President has examined and finds that the deliberations to which Your Excellency refers, according to which foreigners in taking an examination must be followed by the police, do in no way concern citizens of the United States, and that per Messrs Monigault and Cunningham Law commissioners no error in not conforming to them. The Treaty between the United States and China is the law by which the intercourse of the two nations is to be regulated. If the people, for and near, innocently understand the Treaty and purposely violate it they will be the more inexcusable.

It appears on examination that there is no such person in the said factory as "the hired laborer A Chung."

The Undersigned avails himself of the occasion to renew to Your Excellency the assurance of his high regards, and has the honor to remain,

Your Very Obt. Servt.

Peter Parker.

(L.S.)

No. 2.

I Lau, Governor General of the two Kwang Provinces, & Imperial High Commissioner & & &, have the honor to be in the receipt of the Hon: Commissioners despatch of the 29th ultimo, which I have perused & fully understand. But as to the statement contained in the despatch that the deliberation for appointing men to accompany (foreigners) when they take excursions, in no way concern citizens of the United States &c. I have examined & find that the original design of appointing soldiers & the Fiery Dragon military station to accompany (foreigners) in their excursions, was for the protection of all foreigners, and not of any one nation in particular, and hereafter it will be right to manage accordingly, and if citizens of your Hon. nation have occasion to go abroad on excursions, then (they should) inform the local authorities that they may appoint men to accompany and protect them, in order to secure that no unforeseen injury

injury occur, and that peace & friendship may be preserved.

As to Achung, being on examination that he has not been found, & that there is no such person in the said Factory, I again enjoin it upon the said local authorities to make another search to arrest the vagabonds.

As requisite I make this reply, and avail myself of the occasion to present the compliments &c of the season &c.

The foregoing communication is addressed to Peter Parker Charge d' Affaires, ad interim of the United States of America to China.

Hoëen Fany 1 year, 3 M. 1st day.
2 April 1842.

No. 3.

U. S. Ship "Saratoga"
Macao Roads
April 11. 1851.

Sir,

I have just been informed that at the time of my arrival at this place you were at Macao, and left for Canton by the Steamer of yesterday. I regret that I had not an opportunity to see you before your departure, for I have learned that there have been complaints made by our Consul at Amoy of the manner in which he has been treated there; and it would have afforded me pleasure to confer with you concerning the propriety of sending one of our national vessels to that port, to inquire into the circumstances of the case.

Will you be good enough to inform me by return of boat, what are the nature of the complaints from Amoy, and whether in your judgment they are worthy of consideration?

I.

I have the honor to be
Very Respectfully
Your Obt Servt
(Signed) W. H. Walker

Commander
and Senior Officer
East Indies Squadron

Hon.
Peter Parker
Chargé d'affaires
ad interim
Canton China

No. 4.

Legation of the United States,
Canton 16th April 1851.

Sir,

I had the honor to receive, on the evening of the 14th instant your communication of the 11th inst. The circumstances arrival of the vessel mentioned in replying thereto by the return of boat as requested. The regret you express is mutual, and it is with some surprise I learn that you were not informed of my being at Macao 'till the day after my return to this city, particularly as R. J. De Silver Esq our Consul was aware of the fact, and of the interest I felt for your success. I presumed you had been informed, and up to the hour of leaving, the hope was entertained of seeing you. Had the opportunity been afforded in time, I should have had much pleasure in paying you my respects on board the "Saratoga."

E. W. Bradley Esq our Consul at Amoy has had occasion to complain of the

manner

manner in which he was then treated by the Chinese authorities of that port, and as early as January last I informed Capt Glendy of the U.S.S. "Marion" of the fact, and requested him to visit Amoy with the vessel under his command. I have received no acknowledgement from that officer to my despatch of the 10th of January, (a copy of which is appended) and am ignorant of the reasons for his silence and non-compliance with the request from this Legation that he should visit Amoy.

In reply to your inquiry as to the nature of the complaints of our Consul, I have to state, that Mr Bradley has represented that his official despatches to the local authorities have not been officially acknowledged, and that in several instances the said officers have prevaricated & not fulfilled their engagements, and at a personal interview on one occasion he was treated with disrespect by the Hoo Tong &c — After a careful examination

4

of the subject I deemed it my
duty to represent the grievances of the
Council to His Excellency Sir, the Imperial
Commissioner, who immediately addressed
the Governor and Lieutenant Governor
of the province of Fuh Kien, ordering
them to make investigation into the
conduct of the local authorities of
Amoy & promised on the receipt of
their reply to address me again.
Sufficient time has now elapsed
for the reply of the Governor and
Lieut Governor to reach Canton,
and I shall without further delay
recall the Imperial Commissioner's
attention to the subject, and the
local officers of whose mal conduct
he particularly complained, have been
removed from their office at Amoy.
I still deem it desirable that Mr
Bradley's reasonable request for the
visit of a Government vessel should
be granted, but as so long a time
has elapsed, it may be as well
to defer till I obtain from the
Commissioner the result of the

in

investigation H. E. has ordered, on the receipt of which I shall have the honor to address you again. If in the mean time it suits your convenience to visit Canton, it will afford me great pleasure to welcome you to the hospitality of my house, and to acquaint you more fully with the subject under consideration, than can be done conveniently in writing.

I have the honor to be
Very Respectfully
Your Obedient Servant

Peter Parker.

Capt W. S. Walker
Commander & Senior Officer
East India Squadron
U. S. Ship "Saratoga"
Macao Roads.

No. 5.

Legation of the United States,
Canton 17th April 1851.

Sir,

The Undersigned Chargé d'Affaires, ad interim, of the United States of America to China, on the 10th of Jany last, had occasion to lay before Your Excellency certain grievances by the, the Canton, & Foo Tai pun the Dan Dong of Amoy towards the United States Consul at that port; Your Excellency in reply of the 14th of Jany, states that the Governor and Lieutenant Governor of Fuh Kien have been addressed and ordered to investigate the subject, and that on the receipt of their reply, Your Excellency would address the Undersigned again. Three months have elapsed and no further communication upon the subject has been received. The Undersigned therefore addresses Your Excellency & begs to be informed of the steps that have been taken to render due justice in the premises, and as one of the vessels of

the

the United States is about to proceed to Asuncion to look after the interests of this government, the undersigned as aforesaid, requests H. E's early attention to the subject, and to be informed of the result before the departure of the said man of war.

The undersigned avails himself of this opportunity to renew the assurance of his high regards, and has the honor to remain,

Sir,

Your very obdt. servt.

Peter Parker.

To/

H. E.

Gen. Supreme High Commissioner &c &c &c.

(L. S.)

No. 6.

I have, Hereditary Lord of the first grade, Governor General of the Two Kiang Provinces, ex-officio a President of the Board of War, Minister and Commissioner, of the Ta Tsing Empire, have the honor to acknowledge the receipt of the Hon: Commissioner's despatch of yesterday's date.

It appears that C. W Bradley (U.S.) Consul at Amoy, represented some distinct specifications (of grievances) growing out of the affair in which Yang Chaou Hsien was beaten & wounded by Hsu Yen, and I the Minister, was duly addressed a duly prepared despatch stating the subject for investigation, since which I have received the reply of the Governor General of Kiang & Fuh Kien, and the Lieutenant Governor of Fuh Kien stating "they had clearly investigated the case, & found that Yang Chaou Hsien had had a quarrel with Hsu Yen, in which they came to blows, which originally was a case of litigations between subjects of China which ought to be justly judged

and

" and disposed of by the local authorities
" of Government, & that so that the (Consul)
" Bradley had seemed para an ex-parte
" statement, & the want of a thorough
" understanding of each others language
" had given rise to suspicions for which
" there was not the slightest cause, neither
" for disaffection &"

As pertains me, I copy the original despatch & communicate it to the Board Commissioner that he may examine and find accordingly.

As requisite I make this communication and avail myself of the opportunity to present my compliments and high regards.

A copy of the original despatch (of the Governor & Lieutenant Governor) is appended.

The foregoing communication is addressed to Peter Parker, Chargé d' Affaires ad interim of the United States of America to China.

Hsien Fung 1st year 3d Month 17 day
(18 April 1851)

No. 7.

Sir, Governor General of the Province of the Leeward & Sir Islands, and Lieut. Governor of Sir Islands, having received the report of the Law Officers, have the honor to make this reply.

On the 28th February last, we received the Hon: Ministers despatch stating, "that he had received a communication from Parker, Chargé d'Affaires of the United States, setting forth "that Bradley, the Consul at Amoy, had refused to Canton & represented some grievances growing out of correspondence in the management of public business with the, the Imperial Commissioner Yeang, and Governor the Kwang, and as he feared him he informed your Excellency & requested investigation to be made & the case managed in conformity to justice &c." and as he hoped your Excellency you transmitted a copy of the original despatch that he might examine and find accordingly, requesting us thoroughly to investigate all the particulars of the original despatch,

and

and having clearly examined every item and ascertained the true state of the case, to report to him the same, in order that it might be treated according to evidence. Moreover a copy of the original despatch of Parker he had forwarded."

He the Governor & Lieut Governor at that time addressed (the Taou Tai) and directed him to make investigation accordingly, & to report. Since then, the Wai Lan, acting Taoutai of Hing Hwa Fung, of the province of Fuh Kien, and now District Magistrate of Fuh Chow Foo, has reported, stating, that he had in conformity to instructions made examination and found that on the 30th November last, Yang Chow Kien, a teacher, of the district of Ting Gan, petitioned one representing that he had been beaten and wounded by Chow Gew a subject of China, whereupon I instantly delivered the case over to Foo Te pwan acting Hien Tang of Amoy to examine his wounds & to bring up the parties & judge them, at which time

time it appears Bradley the American
Consul, employing pencil and paper wrote
out the circumstances of the case and
informed me requesting me to arrest
the man and manage the case, and
as the Vessel wanting an answer, and
as this note was not a sealed official
communication, & because it was im-
practicable for me to make up a despatch,
I did not write a letter, but immediately
returned an answer upon a card.
Afterwards it appears that Bradley
desired me to take Shou Gew and
instantly arrest and punish him.
I agreed for then the issued my orders
to the Police to attend delay to
bring him to trial, but Shou Gew
having gone to Kwang Chow to buy
goods, there was delay in bringing him
to court, but there was no breaking
of engagements. These are the circum-
stances of the two questions the
said Consul complains of & the
time of our transacting business when
I was acting as Governor. The remain-
ing two charges are affairs between

the

the Consul and the acting Hoo Tong
Foo, and in due course I transmitted
them to him and directed him to
report thereon. Now it appears he has
reported stating he had made investi-
gation of the case in which Yang
Chaou Nien who had bought upon
credit some barrels of lime from
a dealer in old Merchandize, & the
debt not having been paid, Chou Yen
Siang him face to face demanded his
due, when a quarrel, in which blows
were given, took place, and I was obliged
to you for delivering over the case to
my office to bring up the parties for
trial, and I examined and found the
wounds of Yang Chaou Nien were ex-
ceedingly slight, of which I made out
a memoranda and placed it on
record, and directed the police to bring
up the parties to judge them & decide
the case, at which time it appears Bradley
sent a man to my office, who said
that Yang Chaou Nien was a teacher in
the employ of his (Bradley's) countrymen,
and had been beaten and wounded by

Chou

Shaw Gow, and demanded that Shaw Gow should instantly be sent to the Consulate for examination, but, inasmuch as litigations between subjects of China ought to be tried and decided by the local authorities, and as there has never been such a deed done as that of sending and delivering them over to a foreign Consul for examination, I therefore replied that I would arraign the parties & investigate the case at my court & report to him the result. On pressing the police (to show due diligence) they reported that Shaw Gow after the quarrel with Yang Shaou Mein, went to Ashang Shaw to purchase goods, & requested me to wait till they might with all despatch go after him and bring him up.

Upon the 1st of December last they brought Shaw Gow to court, and under restraint led him to Bradley's office to confront him with Yang Shaou Mein, when the said Consul Bradley stated that he was displeased that he should be brought to late, and ordered him

to

to be taken back, at which time I
received this bail to appear for trial.
On account of not understanding the
Chinese & Foreign languages thoroughly.
I apprehended there might be error
in interpreting, & on the 3d of December
saw Bradley in person & informed him
of the circumstances of the case. At that
time the linguist performed his part
badly and changed one expressions and
thus our words were perverted, and seeing
detected him, I in words reprimanded
him, but there was no angry expression
towards the Consul. Subsequently to
this, in consequence of Yang Chaou Keen
not appearing, the several times aforesaid
the case has not yet been disposed of. Resigning my situation im-
mediately after this, I wrote Lee the
acting Hoo Tsung delivering the case over
to him to arraign & try them. As the
parties were not confronted while I was
in office, which of them is right and
which wrong, I am not informed.
Absolutely there have been no bribes
paid, and certainly I would receive

more

name, giving foreigners just occasion to speak against me, and that the original accusation, seeing it is impracticable to point out the true amount of bribes, there not being any reliable testimony, is a final imputation against no argument. As is reasonable I request you to transmit my reply in your answer &c. I (the Daotai) have examined & find the reply of the Magistrate Foo is altogether in accordance with the facts of the case, and there has been no giving or receiving of bribes. As to the American officers & Merchants, hitherto they have been good and quiet, & in the highest degree reasonable in what they say, and the local officers all have looked upon them with an common eye, & have treated them with great civility, and certainly have never intentionally slighted them giving them cause for grievance.

The case of the quarrel, in which blows were given, between Yang Ch'ao Teen & Chow Yew, is originally one

of

of litigation between subjects of China which ought to be justly judged and disposed of by the local authorities, and what Bradley stated was an ex-parte statement, and the want of a thorough understanding of each others language gave rise to suspicions for which truly there was not the slightest cause, neither disaffection. As is right I make this reply, and looking up pray you to examine it & communicate forth (the Imperial Commissioner) that he may manage the case &c.'

This coming before us the Governor General & Lieut Governor, as behoves us, we communicate the report of (the Taou Tae) and as is requisite address the Hon: Minister & beg to trouble him to examine & manage accordingly, & reply to (the M. L. Chang ji) & pray you will inform us (of the receipt of this communication)

The foregoing communication is addressed to H.E. Gs: Governor General of the Two Kwang Provinces, & Imperial Commissioner,

Hsien Feng 1st year 2nd M. 19 day

(14 March 1841)

Rec'd 5 July.

A. H. Dennick

No. 15. Confidential

Legation of the United States
Canton 22 April 1841.

Hon: Daniel Webster
Secretary of State.

Sir,

I presume my views to address you confidentially upon a subject which is beginning to receive some attention here and will probably be noticed in Europe and the United States. My time will allow me to do little more than state the case without entering into its merits.

The impression is gaining strength that the present policy of the Chinese Government cannot long be persisted in without hazard to its friendly relations to the Powers with which it is in treaty relations. To prevent the necessity of any one of these powers adopting coercive measures, it is proposed that joint pacific steps be taken by all.

The general plan suggested is, that those nations having treaties with China, should come to a mutual understand

ing

ing that they will simultaneously
to present their grievances at the Court
of Peking - and jointly insist upon
placing their Representatives at the
Capital where they can have access
to the Imperial Court, of which they
are now deprived. H.E. the Spanish
Minister A. de Mas, the French Chargé
A. Cadrieux, & H.B.M. Consul Dr Bowring,
are taking special interest in this matter.
I the latter informs me that he has
by this mail addressed several promi-
nent British Statesmen upon the subject.
He states to me that the present position
of things between the Chinese & English
Governments is far from satisfactory -
and that it is his conviction that if
Great Britain must act alone, that
action will necessarily be hostile, but
if the Western powers will act conjointly
it may be pacifically.

If the general principles upon which
a simultaneous appeal of these Governments
to that of China can be judiciously and
satisfactorily settled at home, so as to pre-
clude the possibility of any misunderstand-

ing

ing on the part of their representatives when they come to initiate action in Congress, I am inclined to think favorably of the success of the measure. This is the chief point of difficulty in my own mind. Perhaps the better course will be that these powers, simply agree that they act <u>contemporaneously</u>, but independently, each representative carrying out the instructions of his own government.

My object in addressing you at this time is more to apprise you that this subject is attracting attention, than to express an opinion of its merits, but may revert to it on some future occasion. I beg respectfully, in the mean time, to request your attention to a despatch of the late Commissioner Hon A. H. Everett — No 28. <u>confidential</u>, addressed to the Hon. James Buchanan, April 10. 1847. An important modification of the general subject as contemplated in that despatch is, that by the present proposition the government of Great Britain is to co-operate <u>with</u> those of Russia, France, Spain, & the United States, and not the latter to combine

against

against them. In the opinion of some gentlemen of intelligence the extensive armament of England & the United States alone, will be quite sufficient to effect all that is desirable. Should the measure in respect to China receive the approbation of European Governments it may not be amiss to include Japan in the catalogue.

I am, Sir,

Very Respectfully

your most Obedient Servant

Peter Parker.

State 51

Ex. H. D.

Copy sent to both Houses of Congress 1st Ellard 1852

Legation of the United States,

Canton, 10th May, 1841.

To

Millard Fillmore,

President of the United States of

America.

The attention of this Legation having been called by two of the United States Consuls in China to the necessity of framing certain Port Regulations, the accompanying "Rules and Regulations for Masters, officers, and Seamen of vessels of the United States of America, at the Free Ports of China" have been adopted. The assent of each of the Consuls having been given thereto, I now have the honor, conformably to the 6th section of Act of Congress, 14th Aug 1848, to transmit the same, "to the President, to be laid before Congress for revision."

With sentiments of profound respect,

Peter Parker



OFFICIAL NOTIFICATION.

LEGATION OF THE UNITED STATES,
Canton, 10th March, 1851.

The Undersigned, Chargé-d'Affaires, *ad interim*, of the United States of America to China, hereby publishes, for the information of those whom it may concern, the following Regulations; which have been adopted liable to such modifications as future experience shall suggest, and subject to the revision of Congress as provided by the 6th Section of the Act of Congress, 11th August, 1848 (*Appendix* A.); but in the meantime, as provided by the 4th Section of the same Act (*Appendix* B.), having the force of law.

PETER PARKER.

RULES AND REGULATIONS

FOR

MASTERS, OFFICERS, AND SEAMEN,

OF VESSELS OF THE UNITED STATES OF AMERICA.

AT THE

FREE PORTS OF CHINA.

Laws of the United States extended over its citizens in China. Masters and officers of vessels required to exercise due vigilance over seamen.

1. Whereas jurisdiction over citizens of the United States within the Empire of China being by Treaty reserved to the United States, by Act of Congress, approved 11th August, 1848, the Statute Laws and Common Law of the United States have been extended over said citizens in China, so far as they shall be found applicable in all Civil and Criminal cases (*App.* B.); to avoid, as far as possible, the necessity of executing said Laws in such cases, it is hereby specially enjoined upon masters and officers of vessels of the United States to use due vigilance to preserve the peace, and prevent difficulties between all seamen and subjects of China, while anchored at either of the five Free Ports.

Seamen not to land except in charge of an officer, nor to be absent from the ship over night.

Number of seamen absent at one time.

2. Seamen are not allowed to land in the vicinity of the Anchorage of the vessel to which they belong, or to visit the neighboring city, without permission of the Captain or commanding Officer, and then under charge of an officer of the vessel, and in no instance to be absent from the vessel over night: *Provided*, however, that the Master may make exception in favor of those seamen in whose good character he can confide, and for whose correct conduct he is responsible. The Master, or officer in command, will judiciously decide the number of sailors to be absent from the vessel at any one time.

Time of absence to be specified.

Seamen liable to punishment.

3. Seamen absent from the ship, whether in the vicinity of the anchorage, or at the neighboring city, shall be on board within the time specified by the Master or commanding Officer;—should any fail of so doing, or be guilty of misconduct, while thus absent, they shall be liable to punishment by fine or otherwise, at the discretion of the Consul, or Consular Agent.

Masters recommended to employ registered China boats.

4. Chinese boatmen having voluntarily consented to be registered at the Consul's, or Consular Agent's office, it is recommended to Masters of vessels, in employing Chinese boats while in port, to give employment to such only as submit to such registration.

Chinese boats to approach vessels at specified times.

5. Chinese boats with fruit and small articles of trade, *spirituous liquors excepted*, are permitted to approach ships, but only at such times during the day, as the Master or commanding Officer may deem proper.

Claims of Chinese subjects against seamen to be cancelled, and frauds prevented.

6. Masters of vessels are required, on the one hand, to see that all just claims of subjects of China against seamen belonging to their ships are duly liquidated; and on the other to prevent, as far as possible, the Chinese from defrauding seamen.

Acts of robbery and violence to be reported.

7. Serious collisions occurring between citizens of the United States (whether seamen, or others belonging to an American vessel) and subjects of China, in which robbery or violence is committed by either party, or in which the death of a Chinese or foreigner ensues, the Master or commanding Officer of the vessel to which the latter belongs, shall, without delay, report the same to the United States Commissioner to China, or to the Consul or Consular Agent of the port in which the crime is committed, in order to immediate judicial investigation and action.

ASSENTED TO.

R. B. FORBES,
Vice-Consul of U. S. A. at Canton.
March 14*th*, 1851.

Assented to
(Signed) Charles William Bradley
Consul of U.S.A. at Amoy.
March 27. 1851

Assented to
(Signed) Jno. W. Alvord
U.S. Consul at Shanghai
April 24th 1851.

APPENDIX.

FROM ACT OF CONGRESS, 11TH AUG. 1848.

A.

SEC. 6. *And be it further enacted*, That all such regulations, orders, and decrees shall, as speedily as may be after publication, be transmitted by the Commissioner, with the opinions of his advisers, as drawn up by them severally, to the President, to be laid before Congress for revision.

B.

SEC. 4. *And be it further enacted*, That such jurisdiction in Criminal and Civil matters shall, in all cases, be exercised and enforced in conformity with the laws of the United States, which are hereby, so far as it is necessary to execute said Treaty, extended over all citizens of the United States in China, (and over all others to the extent the terms of the Treaty require,) so far as such laws are suitable to carry said Treaty into effect: but in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies, the Common Law shall be extended in like manner over such citizens and others in China; and if defects still remain to be supplied, and neither the Common Law nor the Statutes of the United States furnish appropriate and suitable remedies, the Commissioner shall, by decrees and regulations which shall have the force of law, supply such defects and deficiencies.

Rec'd 14 Augt.

R. H. Dorrett.

No. 16. Legation of the United States,
Canton, 21. May, 1851.

To,

Hon. Daniel Webster
Secretary of State.

Sir,

I have the honor herewith to transmit upon the correspondence of this Legation since the date of my last despatch, enclosures Nos 1. to 6. Also a despatch to the 5th Auditor of the Treasury Department, and a communication to the President of the United States, submitting a copy of the Port Regulations (vide Despatch No 13. Enclosure No. 10.) to which the assent of all the U.S. Consuls in China has been given.

I have recently received two Despatches from the Imperial Commissioner, one prohibiting the exportation of rice, and the other proposing certain measures, preventive of smuggling, at Shanghai. Indisposition and the early departure of the mail, compel me to defer further notice of these two subjects to a future

o/c

opportunity.

I have the honor to remain, Sir,
with great respect
your most obdt servt

Peter Parker.

With Mr. Parker's No. 16.

No. 1.

Legation of the United States
Canton 23 April 1844.

Sir,

I avail myself of the earliest moment, after the departure of the mail, to inform you I have again addressed the Imperial Commissioner Kee, upon the affair of our Consul at Amoy, and have received a lengthy correspondence which will require reference to Amoy before the matter can be finally adjusted.

In the mean time I deem it my duty to renew the request that one of our government vessels visit that port, believing that the presence of our flag, which has seldom, if ever, been displayed there, will be productive of good results. I therefore request, that at an early day, you will detach one of the ships under your command for that purpose. Should you comply with this request, & the departure of the vessel be delayed a few days, I wish to transmit by her a despatch

to

to Mr Consul Bradley.

I contemplate making a short visit to Macao on the 20th instant, when it will afford me pleasure to confer with you upon subjects of public interest.

I have the honor to remain, Sir,
Your very obedient Servant

Peter Parker.

Capt W. J. Walker
Commander & Senior officer
East Indies Squadron
U. S. Ship "Saratoga"
Macao Roads.

No. 2

Legation of the United States
Canton 24th April 1854.

Sir,

A long period having elapsed since representing to the Imperial Commissioner your grievances received at the hands of the Chinese Authorities of Amoy, on the 17th inst. I recalled His Excellency's attention to the subject, & on the morning of the 18th received the Vice Roy's note (No. 6.) enclosing a copy of a communication (No. 7) from Yeh, Governor General of the two Provinces of Kwang & Yeh Kwei, and Sen Lieutenant Governor of the Kuster province, relating to that case.

Before proceeding to reply to His Excellency, I transmit you here with a copy of the translation of the above documents, and wait your comments upon them - and particularly request your early attention and reply to the statements, that your communication stating the circumstances of the case was upon red card paper and

that

that "Visits have neither been given or received."

Since the arrival of the U. S. Ship "Saratoga" I have renewed to Capt. Ballou the request that one of our gov. vessels visit your port, and am happy to inform you that before many weeks elapse, the "Marion" Commander Glendy will show our flag & Away.

Very Respectfully
Your Obedient Servt
Peter Parker.

C. W. Bradley L. L. D.
U. S. A. Consul
Amoy.

No. 3

U.S. Ship Saratoga
Off Macao. China
June 24th 1851.

Sir,

I have the honor to acknowledge the receipt of your communication of the 16th inst, and thank you for the valuable information it contains.

I had already determined to despatch the "Marion" up the coast of China as far as Shanghai with a view to visit intermediate ports open to our commerce, returning here before the season of typhoons. She sails to-day or to-morrow. It is probable therefore, that Commander Glendy will show our flag at Amoy and communicate in the usual manner with the Consul at that place, (Mr Bradley) in the course of a few weeks.

Many thanks for your polite invitation to visit Canton. One of these days I hope to be able to accept it. Meantime it will afford me sincere pleasure to receive you

and

and accord to you all the honors of the U.S. Ship Saratoga, wherever & whenever you may please to visit her.

I am, Sir,
Very Respectfully
Your Obdt Servt
(Signed) W J Walker
Commander
and Senior Officer
East Indian Squadron

Hon.
Peter Parker
U.S. Chargé d'Affaires
Canton
China

No. 4.

U. S. Ship "Saratoga"
off Macao China.
April 26. 1851.

Sir

I have the honor to acknowledge the receipt of your note of the 23 inst, dated at Canton, and I am informally advised that you arrived at Macao yesterday.

I hasten to inform you that I replied to your first communication on the 24th inst, informing you of the sailing of the U. S. Ship "Marion" Capt. Glendy, with instructions to visit Shanghae, touching on her return at Amoy and communicating with Mr Consul Bradley in the usual manner. As that communication could not have reached Canton before your departure, I deem it advisable to inform you of this part of its contents.

While I regret that the course of your despatches to Consul Bradley, I am satisfied that her early departure which the

ad

advanced period of the ensuing season seemed to demand, passes to be entirely consonant with the policy and wishes of the Legation.

I shall have the pleasure of calling upon you to day at twelve o'clock Meridian.

I am, Sir,
Very Respectfully
Your Ob'd Serv't
(Signed) W J Walker
Commander
And Senior Officer
East Indies Squadron

Hon. Peter Parker
U. S. Chargé d' Affaires
Canton
China.

No. 5

No. 30. United States Consulate, Amoy.
21st April, 1851.

Sir,

In my despatch No. 8, to the State Department, under date of 1st Dec. 1850. I asked to be permitted to return to the United States for a few months, in consequence of impaired health; — the voyage being recommended by my medical adviser.

To this request I have not yet received an answer. I therefore renew it, — respectfully soliciting your sanction of my departure, should the approaching summer render it necessary for me to seek a change of climate.

I have also to request your approval of my appointment of A. E. Nelson Esq, to be acting Consul in charge, during my absence.

In the event of your assenting thereto, I beg to be advised whether the Vice Consul in charge may be allowed to exercise also the judicial powers

The Hon'ble Peter Parker M. D.
Chargé d'Affaires ad interim,

powers vested in Consuls at the five free ports in China, by act of Congress approved August 11. 1848.

I have the honor to be,

Sir,

Your very Obedient Servant

(Signed) Charles William Bradley.

No. 6.

Legation of the United States
Canton 2 May 1851.

Sir,

Your Despatch No 20, dated 21st ult., has been duly received, & I have to state in reply, that should your ill health, or other sufficient cause, require your temporary absence from China, there are abundant precedents sanctioning such a measure, as well as for entrusting the ordinary duties of the Consulate to a suitable person as acting Vice Consul, but for whose acts of course, the Consul himself must be responsible to his Government.

By the 22d & 23d Section of the Act of Congress of the 11th Aug 1848, judicial powers can be legally exercised only by Consuls, "appointed by the United States," or, "any person vested by the United States with and exercising, the Consular authority in any of the five ports in China" and I am of opinion that a Vice Consul appointed by a Consul to act in his absence, cannot be considered as qualified to exercise

non

more than the ordinary duties of the Consulate.
R. E. Wyllys Esq your nomination as acting
Vice Consul is a stranger to me, but
if in your deliberate judgment he is a
suitable person & is not disqualified
by connection with any illegal trade,
I shall most cheerfully approve your
appointment of this gentleman to the
said office and at the proper time
duly notify the Chinese Government.

I have the honor to remain
Sir,
Your very ob't Serv't
Peter Parker.

C. W. Bradley Esq
U. S. A Consul
Canton.

Recd 13 Sept. Allen. The duplicate of this despatch was given to D.L. for Mr Parker or W. Derrick
Mar 26 Nov. 1851

No. 17. Legation of the United States,
Canton, 20th June 1851.

Sir/

Hon. Daniel Webster.
Secretary of State.

Sir,

I have now the honor to transmit you the two communications (Nos. 1 & 2.) from His Excellency the Imperial Commissioner alluded to in my last despatch. One prohibiting the exportation of wheat and rice, the other proposing measures with a view to guarding the revenue at the port of Shang Hae. In enclosure No. 3. I have simply acknowledged the receipt of these despatches, till I should have communicated with our Consul at Shang Hae upon the latter subject, which I have done in my note of the 3 inst (Enclos No 4.) and wait a reply before discussing the subject with His Excellency Yeu.

By the "Hersilia" your despatch No. 2 and the accompanying books have

comm

come to hand and have been forwarded agreeable to your instructions (Vide No. 5)

On the 17th inst a communication was received from Capt. Glendy of the H.C.S. "Marion" announcing his arrival at Wusung (No. 6), to which I replied on the 18th (Vide No. 7). The "Marion" has visited the ports of Shanghae and Amoy, remaining some eight and forty hours at each. On her return from Shanghae she grounded upon the north west coast of Formosa, but fortunately was kedged off without having sustained much injury, after throwing over board some 60 or 70 shot. She was very soon the show at the time, and the inhabitants are said to have come down to the beach in great numbers with their boats, 4 or 5 in a mile, probably supposing her to be a merchantman, and eager to share the spoils in the event of her going to pieces.

The subject to which reference is made in my note to our Consul at Hongkong (Vide No. 8) does not appear much interest, and

Consular

created a painful apprehension that other foreigners, both English and Americans, may now be in captivity upon the Island of Formosa. For further particulars I beg to refer you to the "China Mail" of the 5th inst, which accompanies this despatch. The same paper also contains an account of the loss of H. B. M. Sloop "Rayard" in attempting to rescue the crew of the "Volcano" recently wrecked on the Pratas Shoal.

When the position of Formosa is considered, lying as it does in the centre of the great commercial thoroughfare along the coast of China, the barbarous character of its inhabitants, particularly those of the eastern coast of that island, and the great number of foreign vessels that have been lost of late years in that vicinity, the imperative duty of Western Governments to provide for the hospitable treatment, on the part of these savages, of those who may providentially be wrecked upon their shores, can admit of but one opinion. I avail myself of

of this opportunity to solicit the attention of the State Department to the subject. In the mean time, having collected all available information respecting the probability that citizens of the United States may now be in bondage upon Formosa, or the Pescadores, I shall submit the same for consideration & action of the Senior officer in command of the U.S. Naval forces in the East, and if it shall appear expedient also communicate with the Chinese government, that it may address the authorities of the Eastern & South-eastern parts of Formosa which acknowledge allegiance to the Emperor, requesting their friendly offices on the occasion.

The insurrection in Kwang-si has become a subject of grave consideration to the Emperor, and strenuously will the government exert expenditure of men & means. Lee Tay Yuen the Successor of Lin is also dead. Various provinces have been

Canton

bill under heavy contributions to furnish the arrears of tribute from Shang Hai state that the authorities of that port have been called upon to furnish 2.000.000 Taels.

Sae Shangkh, prime Minister, and Commissioner Extraordinary to Kiangsu, has proceeded no further than Hoo Nan, apparently afraid to cope with the insurgents.

The intelligence has received Canton that the Imperial Commissioner Yeh has been degraded by the Emperor three degrees, & his red button exchanged for one of blue. Inefficiency & mismanagement have been the occasion. His Excellency has recently been informed of the determination of the British Government not to submit to the new tax upon teas, to which reference is made in my despatch No 2 of 19th July 1850. and against which I deemed it my duty to protest, at the time, in behalf of the U.S. Government.

With

With sentiments of distinguished consideration I have the honor to remain,

Sir,

Your most Obt Servt

Peter Parker

No. 1

September 17.

Sir, Governor General of the Two Kiang Provinces, Imperial High Commissioner &c &c &c, has the honor to make this Communication.

Now it appears that Hoo Kee Shang, acting Taou Tae of the District of Soo Chow, Sung Kiang, & Tae Tsang, in the province of Kiang Soo, has petitioned me stating (as follows) "I have examined the country about Shang Hae & find the nature of the soil to be loose, fit for the cultivation of cotton, but not for the production of rice & wheat, so that for the rice required for the use of the people the entire dependence is upon the merchants who keep up a supply by purchasing it from other places bringing it to Shang Hae, moreover this being contiguous to the ocean, it is not permitted here to hoard it up for any occasion, lest it should go to supply the pirates with food. The crews and others who require food belonging to the different junks anchored in the Woosung province, are exceeding numerous and At the time for taking in cargo for

&c &c

of perfection, it is allowed to take with them only five according to the number of men and the length of the passage, and they are not permitted to take a pint more than is necessary for five; in order to guard against smuggling the food of the people which is of great importance.

I have several times examined the Custom House Tariff, & issued an edict prohibiting the exportation of rice, and enjoined upon the subject & District Magistrate to maintain a surveillance over the brokers of the province. This is on record.

Once on the 5th April, I the Dewan Sahib, learned on making inquiries of American Merchants, that there are some who have bought rice & wheat & put it on board a ship, & thinking it was in consequence of the said merchants not knowing it to be prohibited by law, I, & the Nine addressed the American Consul requesting him to transmit his orders to the said merchants to desist, & on a former occasion a despatch from the Consul General came before

me

me, in which he contended that by the regulations of free trade (i.e. by treaty) the exportation of rice and wheat is not prohibited; that in a former year, when the Imaum was last at Shangae, the American merchants imported several tens of myriads (of tays?) of rice to Shangae, for the supply of the multitude, and now for them to buy and export wheat, ought to be admissible &c. The Taou Tae, regarding (the exportation of) rice & wheat as affecting the food of the people, and that if in the slightest degree I delayed the prohibition (guarding against it), then, under the pretext of the law it must cause a great many to imitate & occasion it, and it would kindly answer not to speak to him face to face, I, at the time, went in person to the consulate, & with the consul discussed, explained the subject minutely and clearly and in a conciliatory manner pointed out the way, and after one whole day (for the first time) promised to issue his orders directing the merchants to take the wheat

out

out of the warehouses & not allow it to be put on board ships & exported, & to respectfully conform to the laws which prohibit it. The Taou Tae, besides again explaining the prohibitory laws, & issuing a Summons edict, also addressed the District Magistrate of Shanghae, ordering him to prohibit the dealers, and not permit them to sell (rice or wheat) fishing for profit, to the detriment of the food of the people."

This coming before me the Minister, I have examined and find that the item of wheat & rice, is one that affects the food of the people, & that the law prohibits their purchase and exportation, and now it appears that the officers called Taou Tae, has had consultation with the Consul Griswold who has acceded to (this proposition), to issue orders directing the merchants to take the wheat in their warehouses and not allow it to be put on board ships and exported.

As before me, I have investigated the subject & find that according to

to

to the established laws, (the exportation) of rice & wheat is forever prohibited, & besides perfecting to the Canton and directing conformity thereto, I also, as is right, address the Hon. Commissioner that he may examine & find accordingly, & transmit his injunctions to the said Consul to issue orders directing every merchant henceforth not to purchase & export rice & wheat, in order to subserve the food of the people, & to conform to the established laws. As requisite I make this communication, and avail myself of the opportunity &c.

The foregoing is addressed to Peter Parker Chargé d'Affaires ad interim of the United States of America to China.

Keen Fung 1st year, 4th mo. 16 day.
(16 May 1851.)

No. 2.

Sen Kwang Sin, Governor General of the two Kwang provinces, ex officio President of the Board of War, Minister & Commissioner &c &c &c of the Ta Tsing Empire has the honor to make this communication.

It appears that Woo Kun Chang, acting Tsae Tae of the district of Soochow, Sung Kiang, and Tae Tsang, in the province of Kiang Soo, have petitioned me as follows." I have looked into the trade as it has been conducted hitherto with the different Western foreign nations at Shanghae, and find that the merchants & people run to accommodate each other, and that the trade in Soochow silks, teas, and foreign goods, which are transported to the port of Shanghae is seen to be daily more & more prosperous, that on the one hand the foreign merchants, who bring their families, rent ground, build houses and reside at Shanghae, come trading upon each others heels &c. are rapidly increasing in number, and on the other, the

number

number of Chinese is not small who come to Shanghae to do business from different districts of the Provinces of Kiukiang, Kiang Se, Gan Hwuy, Hoonay Fuhy, Ningpo and Shan Tung, constituting a mixed community at this place, not altogether good or bad, and absolutely it takes a man to maintain surveillance over them & to restrain them: and even then it is necessary constantly to direct the local officers, civil and military, with special view to look after and manage them, and what is still more important is that which concerns the peasantry. Moreover, there is a class of persons without capital, empty hands, seeking gain, closer at their at their business, who, failing to entice the merchants and people into clandestine trade to the defrauding the revenue, swindle them out of their merchandise and wrongfully abscond. Add to this that the Woosung Kos river is broad, that the sails and masts are there collected together like sea, and that the river has many branches, and although military stations have been

cc.

established at the important places on the north and south of the suburbs of the city to supervise the cargo junks that go and come, but besides at the two Custom Houses, new & old, there have not been any Toll bars, that which are depended upon being a limited number of vessels constantly to cruise about; and of the clerks, police, & others who look for profit regardless of the laws, the number is great - & how can I depend on them to carry out my aim / to prevent smuggling /? I can only devise some means for maintaining surveillance in order that this class of men shall have no crevice of which they can avail themselves / to escape /, or, rather that / the superintendent of Customs may not be disgraced / before the Emperor for failing to discharge efficiently / my duty /, but without conjoint action with the vessels appointed by different nations, uniformity will be impracticable.

I find on examination that the two items of silk & tea upon which the duties

are

are paid at the new Custom House, are important, and it is manifestly right as the defaulting the revenue is of the first moment, to investigate duly the amount of the two articles sold, and to compare with it the duties previously upon them. On a former occasion I had a personal interview with Alcock, the British Consul, and Griswold the American Consul, and we consulted together & decided at the Custom House to affix the seal to (blank) books and to deliver one to the Masters of the warehouses, and to make out (blank) manifests and give one to each of the two military stations on the North and South, the third to be retained at the Custom House, and as the Chinese Merchants buy and transport silks and teas, to them, that they shall make out a clear account of them and first go themselves to the warehouses, and enter the same upon the book with the Custom House seal, and secondly, they shall repair to the military stations to have the cases so examined their packs so bonded

of an

of examining to ascertain that it corresponds with the account entered upon the book in the hands of the master of the Warehouse at the Military Station, the blank manifest shall be filled out accordingly and delivered to the master of the Ware House, and on the cargo being discharged and stowed in his Ware House he shall be allowed accordingly to sell it, and having sold all he is to take the manifest and repair to the Sheriffs office and pay the duties to the Sheriff having received them all shall deliver the manifest to the Custom House to be examined & compared. With this arrangement the merchants and people are pleased and are now doing accordingly, and that the item of guarding against defrauding the revenue is not without its advantages.

But the foreign merchants when they buy silks, & teas, from the warehouses and transport them to their vessels for exportation, should be required to make out an invoice of the goods and forward it to the Consul to be transmitted by

Com

him to the Despatch to examine. Again, foreign vessels entering port anchor in the Broad Bay & Yang King Pin, contiguous to the foreign offices where in different ways, it is easy to smuggle the cotton fabricks, long cloths, woollens, sandal wood, and other cargo contained in them, before they are discharged from the vessels, and some unscrupulous merchants will report but a part of their cargo (literally "report few for many"), and when the cargo is distributed about, it is difficult to look after it, therefore, I the Com'r have again & again discussed the subject with the British Consul, and urged him to direct that when a merchant vessel enters the port that the Master of the vessel copy from his book an account of the goods she spell by different merchants and send it to the Consul to be communicated to the Superintendent of Customs for examination in order to avoid the risk of defrauding the Revenue.

Now the English Consul has advised the British merchants to manage accordingly which they are willing to do, but

the

the American Consul is unable to have American vessels enter port to register the merchandise to conform to this arrangement.

On the 9th April the Consul Griswold embarked for Canton, and the Governor requested him on his arrival at Canton to deliberate with Parker the American Commissioner upon the best method of procedure, and also to arrange in the same manner as the English, in order to obtain uniformity &c.

I, the Minister, having received this petition of the three Governors have examined it and find that what the petitioners is to guard against defrauding the revenue; besides replying to them, directing him to manage accordingly, I also, as before, address the Hon Commissioner, and beside him with the request that he will transmit his injunction to Griswold the Consul at Shanghae to issue orders that the merchants also arrange in the same manner as the English, in order to obtain uni-

uni

amenity.

I prerequisite I make this Communication and avail myself of the opportunity to present my compliments &c.

The foregoing Communication is addressed to Peter Parker, Chargé d'affaires ad interim, of the United States of America to China.

Keen 9 mo 1841. 4 hr. 16th Day
(16 May 1841)

No. 3.

Legation of the United States
Canton 3d June 1854.

Sir,

The undersigned Chargé d'Affaires ad interim of the United States of America to China, had the honor to receive on a former occasion Your Excellency's two communications of the 16th ultimo, relative to the exportation of rice and wheat, and the adoption of measures to guard against defrauding the revenue at Shanghae.

In this position has presented his earlier acknowledgment of the same. S. W. R. Williams Esq. the United States Consul at Shanghae has visited Canton, but during the visit was very ill and did not allude to the subject of the revenue at that port. The undersigned will loose no time in communicating with the said Consul upon the subject, & on the receipt of his reply will address Your Excellency again. In the mean time he makes this reply and avails himself of the opportunity to present to

Your

His Excellency Yen -

Imperial Hyk Commissioner & & &

Your Excellency this compliments &c.

Very Respectfully

Your Obd Servant

Peter Parker

L. S.

No. 4.

Legation of the United States,
Canton 3d June 1851.

Sir,

I have recently received two communications from H.E. Sen, the Imperial Commissioner, transmitting memorials from the Taou Tae of Shanghae, one upon the subject of the exportation of wheat & rice from that port, and a second proposing measures designed to guard the revenue at Shanghae.

As you did not allude to this latter subject during your recent visit to Canton, I have decided, before replying to His Excellency, further than to acknowledge the receipt of his despatches to transmit you herewith a copy of his communication relative to the guarding the revenue with the request that you will at an early date, give me your views of the propriety & practicability of the measures proposed by the Taou Tae, or that you will state fully the objections to which they are liable.

The communication given to Mr Parker

Mr Davis

Houses in these regulations seems highly objectionable, and I apprehend there may be a secret aim to the establishment, de facto, of the Colony system, under another name, but with some of the securities & advantages to foreigners formerly existing.

I have the honor to be, Sir,

Respectfully

your Obedient Servt

Peter Parker.

To

G. R. A. Finnell Esq

United States Consul

Shanghae.

No. 5.

Legation of the United States
Canton, June 17th 1854.

Sir,

The undersigned Chargé d'Affaires, ad interim, of the United States of America to China, has the honor, in accordance with the instructions received from his government, to forward to your Excellency Vols, No 9. & 10. with an Atlas, of the United States Exploring Expedition, and a volume numbered one, in continuation of the publication connected with that Expedition. Vol No. 9. treats of the races of men, No. 10. of Geology, & No. 1. of Hydrography.

The Undersigned as he does with him requests your Excellency in behalf of the government of the United States, to transmit these volumes to His Majesty the Emperor of China, as the continued evidence of the good correspondence existing between the two nations.

The Undersigned avails himself

of

To,

H. E. Sew, Imperial High Commissioner

&c &c &c

of the opportunity to present Your
Excellency his compliments.

Very Respectfully
Your Obedient Servant

Peter Parker

(L.S.)

No. 6.

U. S. S. Marion

Whampoa Reach

June 17th 1841.

Sir,

I beg leave to inform you of the arrival of this Ship under my command at this place; from whence I am instructed to communicate with you, and to obtain such information concerning our commercial affairs on this Station, as shall be of service to the Squadron.

My stay at this place, in conformity with my instructions, will necessarily be short, and with a regard to the health of the officers and crew, I propose leaving for Hong Kong within ten days to communicate with our Consul there, hoping to return to Macao within a specific period.

I am, Sir,

Very Respectfully

Your Obt Servt

(Signed) W. W. Shew Dep.

Comm'r

To
The Hon:
Peter Parker,
Chargé des Affaires,
of the U States of America
Canton.

No. 1.

Legation of the United States
Canton, 18th June, 1854.

Sir,

I have the honor to be in the receipt of your communication of yesterday's date, announcing the arrival at Whampoa of the United S.S. "Marion" under your command, "and to obtain such information concerning my commercial affairs in this station, as shall be of service to the Squadron."

At the present moment the position of commercial affairs & affairs generally, is not materially different from what it has been for the past six months. The subject which was exciting so much interest when you were last in this port, the insurrection in the provinces of Kiangsu & Kiangsi, still bids defiance to the Imperial Government. Within this period two Imperial Commissioners, charged with the responsible duty of restoring order, have died.

See Shangsh, Prime Minister of Shensi,

and recently appointed Commissioner Extraordinary to Kwang Se has shutten at the province of Hoo Nan, apparently reluctant to measure proceed with the self styled King of Celestial Virtue, whose power seems to have become paramount in Kwang Se. A report has reached Canton, however, that this Royal highness is dead, & that the four principal personages under him hold possession of the territory, or jurisdiction, acquired by their leader, but this requires confirmation. One thing is certain, — the termination of these troubles is conceded on all hands to be remote, and the Court Journal abounds with evidence that His Imperial Majesty looks with deep solicitude upon the insubordination of his refractory subjects.

I do not know transpired of late in relation to Formosa which have become the occasion of considerable anxiety to this Legation, and when all the information available has been

to

No. 8.

Legation of the United States,
Canton. 19th June 1854.

Sir,

The attention of this Legation has been called, by one deeply interested, to the disclosures of the three men belonging to the "Serpent" who have been recently rescued from captivity in Formosa, creating the apprehension that there may be other foreigners also in bondage upon the Island.

I am informed that four of these men are at Hongkong. My object, in addressing you at this time, is to request that you will favor me with such information as you may have been able to obtain from these men, or from other sources, touching the subject, and particularly as it respects the reports that are in circulation that wrecks of vessels, and one in particular supposed to be that of the unfortunate "Kelpie," have been seen by them, & also that they were informed while upon the island, that there were other foreigners there in

the

Annex.

Very Respectfully
Your Obedient Servant

Peter Parker.

J. J. Burke Esq
United States Consul
Hong Kong.

Recd 13th Octr Mr A. H. Derrick.

No. 18. Legation of the United States
Canton 22d July 1851.

Hon Daniel Webster.
Secretary of State.

Sir,

In the last Despatch I had the honor to address the Department, allusion was made to the recovery of several shipwrecked British subjects from captivity in the island of Formosa, and the apprehension that was entertained that there might be American citizens also in captivity upon the Island. I beg leave herewith to transmit you the correspondence to which that apprehension has given rise, embraced in Enclosures Nos. 1 to 10. inclusive. Although it had been determined to despatch one of the United States vessels now in these waters on a voyage of discovery to Formosa, you will perceive that for reasons set forth in the despatch of Capt. Walker of the 14th inst. (vide Doc. 10.) that

steps

step has been decided for the moment.

I regret that the official report of the "Salamander's" cruise, to which reference is made, has not yet come to hand. From all I can learn indirectly of the proceedings of that expedition, the expediency of further search is not at all superceded. The Eastern coast of Formosa, still remains unexplored, & this whole subject is still under consideration.

No. 11. is the acknowledgment of the Imperial Commissioner of the petition connected with the United States Exploring Expedition as per your Despatch No. 2. of the 27th Nov. 1850.

Despatches have recently reached this Legation from the Consulates at Amoy & Shanghae, but too late to be transmitted by this opportunity.

The rebellion in Kwangsi is monthly assuming a more formidable aspect, and the insurgents seem as yet secure

of success

of personal a defeat in any engage-
ment with the Imperial troops.
His Excellency Sir, this day proceeds
in person, to the scene of insubor-
dination, but with manifest
reluctance. The boats displaying
the Imperial Commissioners pennon,
& conveying H. E. & cortege. are passing
up the river as I write.

Sir Geo. Bonham has recently
visited this city and I am confi-
dentially informed by H. B. Majesty's
Consul, that the present state of the British
trade was the occasion. Dr Bowring
also informs me that he has
communicated to the Superintend-
ent of Customs, his determination
no longer to perform the duties of a
Custom House officer, that he will
require the manifests of British
vessels to be deposited at the Consulate
as heretofore, & any information he
may seek, shall be given, but the
duties will no longer be paid thro' the
Consulate. That the mode of
conducting trade both in Canton

and

and Sharp Lee, must, even
on days some modification,
is all but inevitable.

With sentiments of the highest
consideration, I have the honor
to remain,

Sir,

Your most obdt Servt

Peter Parker.

Copy

No. 1. With Mr. Parker's No. 18.

Canton, June 23d - 1851.

Sir,

I beg leave respectfully to ask your attention to a matter of deep concern to several families in the United States, as well as of much interest to our Countrymen who reside in or resort to the Neighbourhood of China, and which is of such painful import to my own family and friends that I am at a loss at this moment of new hopes and perplexing doubts in what forms of language to express my anxious solicitude.

I need not say that I refer to what has formed the Subject of the Conversations with which you have recently favoured me - namely the loss or absence of

To

Peter Parker Esquire

Chargé d'Affaires of the United States of America

&c. &c. &c.

of my Brother, Mr. Thomas L. H., Nyp.,
and others who went to Sea upon this
Coast Several years Since, and the recent
perplexing reports from more than one Sound
of the existence of Foreigners in Slavery in
the Island of Formosa.—

It will be remembered by you
that the Barque Kelpie, with my Brother
and Mr Thomas Smith as Passengers
left Hongkong for Shanghae about the 18th
of October 1848; that Captain Prescott with
his Officers and Crew left Shanghae in
1849, that Captain Dominis and his
Companions left a year or two earlier, and
that the Sylph, Lapwing, Mischief
and Several other British vessels, as well
as the Spanish Ship Serena, have never
been heard from or any vestige of them
found.— The Circumstances attending the
disappearance of these vessels, as well as
those which now raise alternate hopes
and fears, are so well known to you and
have so endearedly enlisted your Sympathy,
that in addressing you in your Official
Capacity I have no need to dwell upon
the painful Nature of them.—

M

It is, indeed, enough to allude to the value of human life, at any time, to call forth human sympathy and the greatest possible exertions of every person whose agency may assist in its preservation.—

I have, therefore, only to request your good offices in your official capacity with the officers of the Chinese Government and those of the United States Navy, now here or who may arrive at an early day, in order that an endeavour to resolve the doubts we have may be made as quickly as may be practicable.—

In the Conversations alluded to, you were good enough to say that you would address H. E. the Imperial Commissioner upon the Subject, with reference to the reports of there being Foreigners in Formosa held in Slavery, and to the rescue of the three men of the Larpent recently, as well as to the loss of the Several persons before alluded to, and requesting H. E. to cause Measures taken immediately to rescue any others upon that Island.—

You further expressed your willingness to use your influence with the

the Commanding Officer of the American Squadron now here, to the end that an efficient force may be sent to the Island aforesaid to prosecute a Search for the Numerous Missing Citizens of the United States, Some of whom, there is now little doubt, are alive on the Island.

Such being your expressed intentions, Communicated to me upon the occasion of my verbal requests, I have no need to repeat these; but I may be permitted to request that the Service be undertaken by Officers of so much discretion and with Such aids of Interpreters and Pilots as Shall render the undertaking one of benefit, rather than harm, to the unfortunate persons whom we Seek.

You will excuse my Suggestions upon a point whose importance will not have escaped your mind, for it is one upon which my own feelings prompted remark too Strongly for Silence, and in Connection with it I wish to Say that I Shall desire to be permitted to employ Interpreters at my own Cost unless it be made More properly a charge upon the United

United States Government.

In respect to this Subject I beg further to say that I Shall be happy to wait upon you whenever you may wish to Communicate with me.

I am,

Sir,

Respectfully,

Your Obedient Servant

(Signed) Gideon Nye Jr.

No. 2.

Consulate of the United States of America
Hongkong June 26th 1865

Sir.

I now beg to acknowledge the receipt of your communication of the 19th inst received on the 20th, and I must apologise for having so long delayed responding to it as owing to the departure of the Overland Mail I obtained from applying to the Government for the depositions of the survivors of the Crew of the English vessel "Carpent."

The men are not here, having been sent to Amoy to going the Government vessel which you are doubtless aware proceeds to Formosa on account of this Massacre. I enclose you a Copy of the depositions of these men.

I have perused these documents but can find nothing as regards the information you desire.

The following statement has been made to me by a party who was at Shanghai at the time of the "Antelope's" arrival there. It

was a report of what was stated to have been said by these men and was as follows.

That the Chinese affirmed to them that there were other foreigners in captivity in the interior, and mentioned one in particular who had been there for several years, and who was called by the natives as near as could be understood "Domine."

As this however is a hearsay report I would request that it should not be dessiminated - at least at present - An American named Dominis was lost some years since in these seas, and as his widow is still alive, residing in the Sandwich Islands, a report like this coming to her ears - would as you can readely surmise be a cause of great uneasiness to her.

I would suggest the propriety of your writing to the American Consul at Shanghai, who may possibly be able to give you further information not only as to this, but to other reports

which may have been spread in
regard to this unfortunate affair.

I have the honor to be

Sir

Very respectfully

Your Obt. Servant

To the -

Hon. Peter Parker (signed) F. F. Bush

Charge d' Affaires Consul Unit. St. A.

for the United States of America

Canton.

No. 3 A

Copy of the deposition of Capt. John F. Roundy of the Antelope taken on oath at the British Consulate Shanghai.

"Which said John F. Roundy saith that about the first day of May before noon I was off the South End of Formosa and I saw a boat coming towards me pulled with five or six oars making signals but as there were many boats about I fired a shotted gun within Cables length of it upon which it stopped, but afterwards pulled round the stern of the vessel when the people on board were heard to have the Ships Saying they were distressed Englishmen. And then made signal to them to come on board which they did and not wishing the other boat to come alongside there being no wind at the time. I ordered the Chief Officer to drive it away while I was talking with the shipwrecked men the natives on that part of the Coast having a very bad name. The

three men now outside the Court in waiting are the Shipwrecked men in question. They stated that they were part of the Crew of the Barque "Serpent." Which vessel was wrecked on the 13 or 14 September last past the Ship having struck on the Island of Formosa about 9 in the evening; They said that before this third took place they had made Botel Tobago. The boat came off from a little cove or bay about half way between Lamay Island and South Point; they stated that the Crew in the Launch in which they left the wreck, amounting to 28 men, landed near Sugar Loaf Point and were set upon by the natives. 19 were murdered and 9 got away."

(Signed) John F. Bowndy
Commander of the H.M.
Barque Antelope.

No 4 B.

Copy of the Disposition of Alexander Berrie, Mariner, taken on Oath at the British Consulate Shanghai.

Which said Alexander Berrie saith that I was an able Seaman on board the Barque "Serpent" from Liverpool, when on the 12th September I was at the ~~which~~ the first Dog watch from 4 to 6 o'clock - having sighted Botel Tobago the Ship was put about and we stood across with a ~~N.E.~~ Wind for Formosa - at about 20 Minutes past five - and at 20 Minutes past Nine she struck on the Main land of the Island stem on going about 4 or 5 Knot - I was asleep in my hammock and was thrown out by the shock I run upon deck & found the Ship had run stem on the Island. It was Mr. Bland's the 4 Mates watch - and he, Mr. Bland, told us afterwards in the boat that he had gone aft & told the Master there was land right ahead - when I came up I saw the Master in front of the

poop— I heard him give no orders but all the watch ran to the braces to back the fore yard & she went right off; we then set to work at the pumps. and in less than half an hour the water was slushing over the Coals— She went off about a mile & a half from the shore. The Crew then set to work to get the boats out and to cut away two large spars over the boats— We first got the gally boat out but ~~the~~ store in along side. The launch & Starboard quarter Life boat were then got out and into the launch 23 men and officers got— and the Master Chief officer and six men went into the life boat This was about a quarter past 2. A.M— Both boats left at the same time. there was no sea on and in an hour the Ship went suddenly down while we were near waiting to see if she would keep up. at day break both boats made for the shore and all hands landed on the beach— That was the morning

of the 13th when four of the natives came down – they had no dress on but merely a cloth about their loins they were not the Chinese inhabitants but the original natives Copper coloured with no tails – the front of their head shaven – They are called "Whanas" (Foreigners) by the Chinese – I learnt on the island that there were Eleven tribes of them but only one that murder people –

These four men began to pilfer, and they were driven away with the cutlasses taking with them some of the things – It was then agreed that both boats should be launched again and we stood down the coast with a fair wind and about 2 o'clock p.m. we hailed the Captain & said we could not go much further as the boat made so much water Eight men were constantly bailing her – he answered that we might do the best we could that there was a Spanish settlement about 80 or 90 Miles to the westward

if we liked to try that— about dark we were rather ahead of the Master's boat— he was standing more out than we could venture— We have to for the night off the South point of the Island— We had run nearly 12 hours with a strong breze— the mate reckoned we had made about 84 Miles and at daybreak we landed on a sandy beach near a remarkable Sugar loaf at the South End of Tongatabu— We set about Employing ourselves getting the boat high & dry— cutting wood for a rudder roasting potatoes &c— When suddenly a number of Natives came down from the wood near the beach and at half a stones throw shot a number of arrows Companions down— Some of us jumped into the water and swam to a rock— when the natives began to fire at us there we all took to the water again and were pursued on Catamarans— We seperated— I and George Harrison went one way Mr Griffiths 2nd Mate and the boy and gunner were ahead

in the same direction but further out, and the rest went another way and were pursued by a Catamaran and were I have no doubt killed. The 2nd mate (Griffiths) not being a good swimmer turned to the beach and some natives on a Catamaran chopped his head off.

I lost sight of the gunner and the boy and did not see them again for four months

I & George Harrison swam about five miles and got on to a rock where we remained two days and nights without food or water. When driven by necessity we walked away and soon saw about fifty of the natives who at first presented their muskets at us but did not molest us— Two women came forward and gave us the cloths from their heads to put round their loins for we were naked— and one old man took us to his house and after we had been with him about 4 months he

sold me for six Dollars to a Chinaman
living about five miles off in the
mean time on the third day after
we met the natives. George Harrison
Endeavoured in a Catamaran to get
on board a Chinese Sampan off the
Coast. When I saw him shot
down by the men navigating her
I was nearly 4 months with the
Chinaman whose name was
"Kenah" who wished to liberate me
and us I was going with him
to a village "Saa Seaah" on the
Coast he told me where my two
Ship mates were & I saw & spoke
to them & staid two days with them.
The master of my two Shipmates
was very hard upon them & would
not let them go away so we all
agreed to try & run. And finally
succeeded in getting to the aforesaid
village and the "Taoukay" (head man
of the place) when the Ship which
turned out to be the "Antelope"
was off the land gave us a boat
and ordered some men to put us

on board which they did— The Whole of the people in the village wished to help us away The Tribe by which my Companions were murdered are Savages and much dreaded by all the Chinese Population. I made four or five attempts at different times to get off to Ships on the Coast and once nearly succeeded getting on board the "Flying Dutchman" but the wind got up and prevented me— She remained at Anchor all Night.

× At the village before mentioned I saw some European Ship stores, Anchor, Chain and Iron Knives &c. which they were making into Swords and Muskets.

(Signed) Alexander Berries.

No. 5

C.

Extract from Copy of Deposition of Wm Blake late joiner on board of the Larpent.

×××× "I feel quite certain that Nine of the Crew but those now here escaped.—

I must have heard it if there had been a single man arthen a large cuenet as I could understand their language and it would have been generally Known."— x x x x x x

x x x x x x x x x x x x x

It was very unfortunate that the Captain of the "Antelope" fired his great gun at us — and afterward even when we got alongside. the Officer pointed a Musket at the boat.— Unfortunate I say because unless some Ship goes to "Tan Tsaush" to explain this, I think any man who may be wrecked there hereafter will have no chance of escape and would most likely be killed as the people all have the greatest dislike to Foreigners."

No. 6.

Legation of the United States
Canton 27 June 1851.

Sir,

As you are doubtless aware, within the past few years a large number of foreign vessels have been lost in the Chinese waters, several of which belonged to the United States. In the most part no vestige of these vessels has been found. In the majority of cases none have escaped to relate the circumstances under which his companions have perished: but once an exception has occurred, in which, after months of captivity, within a few days sail of the open ports of China, three British subjects, have providentially been rescued from destruction, & have returned to relate the sad tale, first of their shipwreck, & secondly, of the cruel massacre upon the Island of Formosa, of most of their companions. This fact has very naturally given rise to the apprehension that there may be others, similarly circumstanced still alive, & impatiently waiting the

inter

interposition of their governments to preserve them from the hands of savage masters. Under these circumstances it becomes my imperative duty to address you as Senior officer in command of the United States naval forces in the East Indies, and to submit for your consideration & action such facts & information as have come to the knowledge of this Legation. In doing so, I beg leave in the first place to call your attention to a communication of the 23rd inst, from Sidney Wise Esq. (Vide Enclos. No 1.) in which he requests the interposition of this Legation with the officers of the Chinese government and those of the U.S. Navy, and secondly, to the deposition of Capt Roundy, of the Barque "Antelope" & of A Bemis & Wm Blake, seamen of the Barque "Lampert," (Enclos A. B. & C.) obtained from the British government by J. J. Bush Esq U.S. Consul at Singapore.

The testimony of Bemis that at the village "Sea Seamuck" on the sea coast, he saw ship stores, anchor, chain, and iron knees &c

which the people were making into mens-
sticks, is important, and it is quite probable
that similar discoveries leading to valuable
discoveries may yet be made at the other
settlements along the shores of Formosa.

Mr Bush under date of 24th inst, in
replying to inquiries addressed to him,
writes, "the following statement has been
made to me by a party who was at
Shanghae at the time of the "Rustatjes"
arrival there. It was a report of what was stated
to have been said by three men of the
"Leopard" / and is as follows. "That the
" Chinese affirmed to them that there were
" other foreigners in captivity in the interior,
" and mentioned one in particular who
" had been there for several years, & who
" was called by the natives, as near as could
" be understood, "Dominie"

It is remarkable that a fact so im-
portant, was not stated in the depos-
tion of these men. Still the circum-
stance is deserving of note that of the
Americans missing these two either of
whose names may thus have been ex-
pressed in Chinese, I refer to Capt Dominis

of

of the "Don Quixote," who with Mr Bowne former Commissioner of the M. E. to the Sandwich Islands, sailed for China some years since, but never reached his destination, and Rev. L. H. Pyne who was familiarly called "Don Pyne," which name would be pronounced by Chinese sounds very nearly the same as "Dominie" the language lacking an initial consonant sound of D. that of T would be substituted.

On mature reflection various objections present themselves to communicating, in the present stage of the subject at least, with the officers of the Chinese government, lest instead of compliance with our wishes they might defeat our aim. A plan which is also entertained by intelligent & friendly Chinese, who suggest as a preferable preliminary step the employment of Chinese natives with Formosa, from Amoy & Pih Chow, first to explore the Island, & communicate with any foreigners who may be found there, being provided with adequate reward in the event of his procuring a letter from any such

Captain

captive in his own hand writing, & then an application may be made through the Chinese Authorities for their release without fear of their "blotting him out," (to use the Chinese expression) with a design to frustrate any ulterior consequences to the government. However, this effects the question, only so far as the Chinese jurisdiction obtains in the Island. A large part of Formosa is independant, and in a semibarbarous state. Slight as may be the prospect of the success of the measure, yet so strong is the presumption of their being yet fellow countrymen there in servitude in Formosa, I deem it my duty to submit for your better judgment, the expediency of your circumnavigating the Island with the vessels under your command, & if on only day, of using your best & utmost endeavors to ascertain whether there are, or have been citizens of the United States (or any other foreigners) wrecked upon those shores, & to rescue any who may remain. The prevailing monsoon will favor the undertaking.

The

The attention of the State Department at Washington has already been called to the importance of an arrangement coming to an understanding with the tribes on the coast of Sumatra that shall prevent the massacre of citizens of the United States who may hereafter be wrecked upon the coast, and though you may not succeed in securing a single article, the information of the navigation of the coast & the character of the people you may obtain will be of great use hereafter.

In the event of your entertaining a favorable view of the measure, you can submit it, & specifying your decision to prosecute it, then as various details involved in its execution, to some of which allusion is made in the communication of the Rajah, upon which I shall wish to address you.

I will only add the expression of my confidence, that if white citizens of the United States desirous to commercial pursuits, at their own expense shall settle on & cultivate in the

Sulu

Peter rejoices in an opportunity of affording him the hope of contributing to the means of distressed subjects of another government that when men of that same important creation belonging to an country make their appeal in the name of humanity for their relations & fellow countrymen also in captivities, that an officer of the United States Navy, will turn a listless ear to their appeal & be deterred by any ordinary discouragement or obstacle from doing his utmost.

With sentiments of high respect & esteem

I have the honor to be, Sir,
Your Obedient Servant
Peter Parker

Capt W. S. Walker
Senior Officer & Commander
of the United States Naval Forces
East Indies.

No. 7.

U.S. Ship Saratoga
Macao Road
July 1st 1854

Sir.

I have the honor to acknowledge your despatch of the 29th June ultimo with enclosures No 1 & No 2. The evidences therein submitted go very far to establish the probability that there may be shipwrecked American citizens, or Europeans, or both, now in slavery on the island of Formosa. And but for the serious objections to communicating with the Chinese authorities in the present stage of the matter as referred to in your communication, our course would be clearly pointed out by the terms of our treaty with that Government.

The "preliminary step," as suggested, seems to me the better part of wisdom at this moment. Your plan of employing the Chinese traders from Amoy and Tow-chow-foo to Formosa in an undertaking to explore the island, appears to be feasable. If this plan should be adopted I would not

hesitate to cooperate with the expedition so far as I could do so within the limits of my instructions and the written terms of our Treaty with the Chinese Empire.

But whether that step be taken or not, I am so deeply impressed with the belief that some of our countrymen may now be enslaved there, that I shall at an early day despatch one of the sloops of war under my command on a cruise of discovery to the island. Perhaps some of the lost may be thus speedily found.

It is to be hoped at least that some information may be obtained upon which a prompt application to the Chinese Government may be deemed advisable.

If this cruise must be undertaken at an early day, I would thank you to forward me any suggestions or "details," to which your letter refers, that may in your judgement be useful.

Entertaining a most profound sympathy with Mr. Nye and others so deeply interested in this search of sorrow I shall most cordially cooperate with them

in any judicious measures which they and their friends may determine to adopt.

I have the honor to be

Very respectfully

Your Obedient Servant

(signed) W. S. Walker

Senior Naval Officer

East Indies Squadron

Hon.
Peter Parker
U. S. Charge d'affaires
Canton China.

No. 8.

Legation of the United States,
Macao, 7th July 1854.

Sir.

I have the honor to be in the receipt of your communication of the 1st. instant in reply to mine of the 27th. Ultimo, and it affords me much satisfaction to learn the general coincidence of our views upon the subject submitted for your consideration.

I propose without delay to enter upon the "preliminary steps" so far as it respects the Chinese portion of Formosa, and now advert to some of the details to which allusion has already been made.

1. Interpreter and Pilot. The Chinese language will probably be the only available medium of communicating with the aborigines of the Island, and the Fuh Kien, will probably be the dialect best understood. The services of a young man acquainted with the Court dialect, and whose teacher is a native of Fuh Kien can be secured at Canton.

Inquiries are now being made in Macao for a person competent to act as pilot, the result of which will be duly communicated

to you.

2 The course to be pursued: Should a well qualified pilot be obtained here, considering the present Monsoon, I would suggest the propriety of the vessel, detailed for the purpose, proceeding directly to the Pescadore Islands, and making all due inquiries for wrecks of vessels, and any survivors, and if it should be found practicable, and in the opinion of the officer in charge, be deemed advisable, to employ an additional pilot there, to do so; - thence proceed to the village "Kenseanah" on the South of Formosa (Vide Deposition A.) and there institute through search for any foreigner that may be in the power of the savage tribe, or tribes, in that part of the Island. From the humane principles already evinced by the Chinese named "Kewah" (Dep. A.) it is reasonable to hope that valuable aid may be obtained from him, and early inquiry should be made for him on the arrival of the vessel. The stay of the vessel at this point, should not be less than ten or three days, in order

that time may be afforded to any foreign captive in the vicinity to hear of the arrival, and to communicate with the vessel.

Having done all that can reasonably be accomplished at this point, I further suggest that the vessel proceed up the East Coast of Formosa communicating with the inhabitants at every practicable point, till the Chinese territory on the North East of the Island, known as Tae-Peen Shan or great Table Mountain be reached, and thence to sail around the Island & returning along the western coast to Amoy. Failing to obtain a suitable pilot here, this order will require to be varied, and the vessel proceed first to Amoy, thence to the Pescadores, and Formosa, as above suggested. Should this course become necessary, some advantage will be gained. At Amoy it can be ascertained what measures, & with what success, the British Government has adopted, and also what information has been obtained through the Chinese Authorities of such Measures

3 The policy to be adopted towards the inhabitants. I conceive that the most conciliatory and friendly address should be adopted. The inquiry if there be any foreigners residing upon the island being accompanied with the expression of readiness to compensate most amply for any expenses they may have incurred, or if sold into bondage, as in the case of the Men belonging to the "Larpent," a willingness to redeem them at whatever price may reasonably be demanded. On leaving, however, it will be proper to avail of an opportunity to impress upon the people the inhumanity, and cruelty of massacreing unfortunate and helpless Ship-wrecked fellow beings that Hospitality and kindness to such are required by the laws and usages of nations, and by the common dictates of Mankind, and to intimate to them distinctly the inevitable consequences of pursuing an opposite course.

Herewith I beg to place at your

service several Volumes, which may be valuable as works of reference to those engaged in the expedition.

In this series of suggestions allow me to add, while the object of the contemplated visit of a Government vessel to Formosa is one and specific, at the same time, whatever collateral information can be gained should not be overlooked. as the populations of places visited, the character and condition of the inhabitants, and Sketches of the ports, trade and productions of the island, particularly the coal mines if there are any in the vicinity of the ports visited, yet, this latter subject should be broached incidentally and prudently lest the suspicion be awakened that this is the principal object, and the search for our fellow citizens a pretext.

Accept, Sir my acknowledgment of your prompt and cordial cooperation on this occasion. Should

success crown the efforts now to be made in behalf of our unfortunate, and it may be enslaved fellow countrymen, it will be a source of lasting pleasure to all who shall have in different ways contributed to the happy result, and at any rate there will remain the pleasing recollection of duty performed.

I have the honor to remain, Sir,

With great respect

Your Obed.t Servant.

Peter Parker.

Capt. W.S. Walker
Senior Naval Officer
East India Squadron

No. 9.

Legation of the United States,
Macao, 7th July, 1854.

Sir,

The recent escape of several men belonging to the British Barque "Serpent" from their captivity in Formosa upon which island they had been wrecked, has given rise to the apprehension that of the numerous vessels lost upon this coast within the past few years, there may still be some of their passengers and crews also in servitude.

It was first proposed to address the Imperial Commissioner Sea directly upon the subject, but on mature consideration it has been deemed preferable in the first place to employ the agency of Chinese traders with Formosa, and, if possible, to ascertain through them the fact and circumstances of any citizen of the United States, or other foreigners, existing upon the island.

I avail myself of this opportunity to request your kind offices in en-

deav-

deavoring to carry out the mission by
seeking some merchant at Amoy, or
Swatchow, trading with Formosa, in
whose discretion you can trust, to visit
the Island, and in a judicious and
quiet manner to ascertain if there be
any American citizen now residing,
either in the ports of Formosa under
Chinese jurisdiction, or among any of
the aboriginal tribes that are, de facto,
independant of Chinese rule, as most
of the inhabitants upon the South
and East coasts are supposed to be.
And I hereby authorize you to
offer a reward of from $300. to
$500. to the merchant who shall
return with a letter from Thos.
L. H. Nye Esq, Capt. Dominis, or
any other citizen of the United States
now in bondage in any part of
the said Island.
In order to the success of this
undertaking it is necessary to
call attention to the absolute
expediency of secrecy being conducted
with the utmost security so far as
the

the Chinese Authorities both in China & in Formosa are concerned.

A rumour has obtained here, that a foreigner named "Dominic" as nearly as the name could be understood, has been three years in the interior of the Island which name may be taken either for Dominic or "Don Bye", as Mr Bye was familiarly called. That the report may be based upon fact is sustained by history, for a Spaniard Don Bizzonimo Pacheco was found on the East coast by Count Benyanbey nearly a century ago (1771.) who had been seven or eight years in the Island when he had acquired considerable influence.

Whilst this step has been resolved upon as it respects the Chinese settlements of the Island, it has also been determined by Captain Walker to send one of the Government boats under his command on a voyage of discovery to the East coast of Formosa, and it is most important that either in going or returning

Should

ainl vessel will touch at Amoy,
if the former it will be to procure
a pilot & any information that may
be useful in which case your compen-
sation will be desired, and I am confident
it will be cheerfully rendered on an
occasion appealing so strongly to my
sympathy, & feeling of humanity.

I remain, Sir,

Very Respectfully
Your Obedient Servant
Peter Parker.

Chas. W. Bradley L. L. D.
United States Consul
Amoy.

No. 10

U. S. Ship Saratoga.
Macao Roads July 14. 1851.

Sir,

I have the honor to acknowledge the receipt of your communication of the 7th. July and but for the unavoidable delays occasioned by the irregularity of other correspondence on the same subject, I should have replied to it before.

With your suggestions touching the importance of the utmost vigilence concerning the search of Formosa, I fully concur. And the details of your most judicious course to be pursued in the prosecution thereof, meet my approbation in all their essential particulars.

It is advisable that whatever actions may be had in the premises, should be efficient as well as prompt.

After I had determined to send a vessel to Formosa, my first object was to obtain unquestionable data on which to make out the instructions to her commanding officer: and to this end I not only conferred with you, but I opened a correspon-

dence

dence with Capt J. L. Maxse R.N. for several years commanding the British Naval Division in China, who, as I shall prove to you, took an interest in this cause as one of common humanity.

In Captain Maxse's communications to me under date of 11th July inst, he says that as far back as 11th June ultimo, he despatched the British Steamer vessel of War "Salamander" from Amoy with the English Interpreter at that place, & two of the survivors of the "Serpent" on board, with instructions to visit the identical places on Formosa, which we have determined to touch at, in the event of a visit to that Island. He further says that he instructed the Commander of the "Salamander" to inquire into the possibility of any of the missing vessels (of whatever nation) having been wrecked on this inhospitable shore & and also as to whether it is possible the crews may have been murdered or may still be detained in slavery in

any

" any part of the coast." And Capt Blake
" adds that his instructions to the comman-
" der of the Salamander were so stringent
" and he had the advantage of such
" ample information, as well as the assistan-
" ce of a good interpreter, that he (Capt Bl.)
" feels sure the Salamander will have done
" all that can be done that way." It is
understood that this British Steamer
has returned to Amoy, and that the
report of the Interpreter to the Governor
of Hongkong is entirely satisfactory,
although Capt Blake has not yet
received the official Report of the
Salamander's return

Since a Steamer the most
suitable vessel for the cruise - that
so recently visited the shores of Formosa,
so well appointed with guides and
interpreters, for the purpose of making
the same observations which we
propose to make, would it not be
best to avail ourselves of all the in-
formation which she may have
collected?

If by the Steamer's Report of

which Capt. Massie has promised to send me a copy so soon as he receives it, there should appear to be no Europeans or Americans detained on the island there it would be scarcely advisable to despatch one of our sailing vessels along that coast at this season of the year, especially when we are expecting that a large steamer will join our squadron in a few weeks.

After the 1st of August next, I have private advices that we may daily expect the arrival here of the U.S. Steam Frigate Susquehanna, bearing the broad pendant of Commodore Aulick. And if the British Steamer's Report should lead to a reasonable belief that our countrymen are detained at Formosa and that a demonstration of force is necessary for their relief, no doubt the Commodore will be disposed, as he will be in all respects competent, to meet the emergency.

It will afford me pleasure to confer with you always touching our National interests in these seas: And I beg you to be assured of the sincerity with which.

I have the honor to be

Your Obed.t Servant

(Signed) W.m S. Walker

Commander

And Senior Officer

East Indies Squadron.

Hon.ble Peter Parker

U.S. Chargé d'Affaires

Canton.

No. 11.

Sir, Imperial High Commissioner de L. has
has the to acknowledge the receipt
of the Hon. Commissioner's despatch of
the 17th inst, and also the volumes of
the (U.S.) Exploring Expedition, & an
Atlas. These volumes relating to the
races of man, Geology & Hydrography,
are as plain as the fingers to trace the
lines in the palms of the hand, sufficiently manifest collateral investigation
& minutest research, and great
expense & labor & attaining these ends
& (new) variety to Chinese books which
are rich under a myriad varieties.

From the oft repeated installments
of these volumes alone, it may be hoped
(our respective countries) are bound in
indissoluble & eternal bonds of friendship.

As requisite I make this reply & avail
myself of the occasion to present the
compliments of the season.

The foregoing is addressed to
Peter Parker Charge d'Affaires, ad
interim, of the United States of America
to China.

Done Hung-1st year 5th m. 23d day.
(22. June 1854.)

Rec'd 10th Nov Mr Conrad.

Legation of the United States,
Canton. 21 August 1851.

No. 19. O.

Hon: Dan'l Webster
Secretary of State

Sir,

I have the honor herewith to transmit you the continuation of the Correspondence of this Legation relative to Formosa - (Vide Enclosures Nos. 1, 2, 3, & 4) - From the Communication of our Consul at Amoy - C. W. Bradley Esqre of the 25th ult^o (N° 4) it appears he has been fortunate in obtaining a Chinese of peculiar qualifications to explore the Chinese portion of Formosa, in search of any American Citizen, or other Foreigner, who may have been shipwrecked and taken captive upon that island. The result of his researches is looked forward to with interest, but full satisfaction will not be realized by those, who have of late years lost relatives, and friends, and fellow Countrymen upon the Chinese Waters, till the Eastern Coast of Formosa has also been searched, and that can only be done by an armed vessel. The arrival of Commodore Aulick is

looked forward to with confident hope — that he will carry out the measures already projected, but which for the present are in abeyance.

I respectfully submit for your decision the question raised by the Consul at Amoy, whether the person — appointed to act as Vice-Consul in his — absence, is authorized by the Act of Congress of 11 Aug 1848, to exercise judicial powers. / Vide Despatch No 16, Enclosures Nos 5 & 6 and Nos 5 & 6 of the present Despatch /. It is my impression, as set forth in the note to Mr Bradley of the 2d May, that a strict — interpretation of the law does not allow, a Vice-Consul not "appointed by the Government of the United States" to exercise such responsible powers. From the manner in which Vice-Consuls are necessarily appointed, some man at the port being selected because he is available rather than that he is fully competent, it — seems objectionable to entrust him with powers involving life and death, and with which, in the view of some of our Countrymen here, with questionable propriety the Consul himself is invested by the new law.

Affairs in Kwang-tse still remain unsettled. There has been some skirmishing, but the rebels hold their ground. I am informed by a Tartar friend, who has a brother engaged in the war under Woolantae, the Manchoo Commander-in-Chief- that the present policy is to wait for cooler weather to commence decisive measures against the insurgents.

The "Peking Gazette" of the 8th June contains a Memorial to the Emperor from H.E. Sew, reporting a victory in this province in which 2800 rebels were slain, and that of the 29th June, publishes another from Chow-Teen-Tse (Imperial Commissioner) Woolantae, Keang-Jung, (a Major-general) in which their Excellencies report a victory in Kwang-Se, and a slaughter of "several thousands of the Vagabonds"- but the accuracy not to say fability of both these memorials is questioned by the Chinese here who are well acquainted with all that transpires in the two provinces.

According to the Canton Court Circular before me, the public executions in this City the past month

have been as follows - 30th July - 36 Decapitations
6th Aug. - 40 —"—
9th —"— - 33 —"—
16th —"— - 40 —"—
making an aggregate of 147 —"—

The general belief is that not one in twenty of these is guilty! They are said to be mostly poor farmers and laborers who have been indiscriminately bounced upon by the corrupt emissaries of Government, and having no friends to redeem them, they are condemned and executed as rebels and then exaggerated reports are sent to the Emperor, and thus Peacock's feathers and —"— Buttons of different colors (the insignia of merit) are purchased by officers more deserving an —"— ignominious death than the powerless and —"— friendless victims of their injustice and —"— inhumanity. So sure as there is a power that can protect and deliver the oppressed and down trodden, so sure it is to be hoped that the legitimate ends of Government are not always thus to be subverted.

With Sentiments of distinguished Consideration and high esteem

I have the honor, to remain, Sir,

Your Very Obedt. Servant

Peter Parker.

No. 1.

H. B. M. Ship "Saratoga"
Bocca Tigris
July 20. 1851.

Sir,

While preparing to get underweigh at Macao Roads for this anchorage on yesterday I received a long and interesting communication from Capt. Massie, commanding H. B. M. Naval Division in China, of which I hasten to advise you.

He had received the Report of the Commander of the steamer "Salamander," referred to in my communication to you of the 14th inst. and after adverting to its most important points, he says, with much apparent delicacy "I hope "and trust all that was possible has been done "towards finding out whether any other ship has been "wrecked on the Coast, and the possible fate of any "of the Survivors" and he adds) I think any "further mission to Formosa is scarcely called "for at present."

I had hoped to have the pleasure of forwarding you a copy of the Report, but their investigations seem to have been so extensive (having an excellent interpreter along) that the document is too voluminous to copy. And

I trust from all I saw, learn, that when the Report shall be made public, it will add not a little to our general stock of information concerning the island of Formosa.

The 'Salamander' experienced a good deal of bad weather, and much difficulty in landing at the places where she touched. At Pong-li a landing was effected upon a catamaran. They visited Tayowan, and several villages especially 'Sam-Saamb', where were collected all, who were to be rewarded for their good conduct towards the survivors of the 'Serpent', and where they were received by the natives with the most welcome demonstrations. They sketch of the coast between the S.E. and S.W. points of the island (the site of the massacre) as being generally rocky, having dangerous reefs and rocks projecting here and there, along which the steamer suddenly shoaled from 17 to 6 fathoms while drifting without steam or canvas. Yet they touched at many of the small places on the shore and Capt. Brasier says 'I consider those villages and their authorities which were visited by H.M.

of H.M. "Salamander" were so well satisfied with the handsome manner in which they have been received, that they would have willingly given every assistance possible to the discovery of any Europeans who might have been in the hands of any parties &c.

At these places it seems that the "Salamander" succeeded in impressing the headmen and authorities as well as the inhabitants, with a clear understanding of the object of their visit, unfolding the flag and assuring the natives that it would equally protect and befriend all foreigners who should be cast away there - promising them at the same time that whenever information should be given at Amoy of any foreign vessel wrecked on the island, the informers would be liberally rewarded as had been those who protected and provided for the Survivors of the "Serpent".

This peaceful policy seems to have worked well, and I have no doubt the Salamander's cruize will be productive of many benefits.

It occurs to me that for these additional reasons assigned in our conversations as well as in my communication to you of the 14th Inst, it would scarcely be advisable to proceed any further in this matter at present. I have the Honor to be

With sentiments of high respect

Your Obedt. Servt.

(signed) W. S. Walker.

Commander and Senior Officer

East India Squadron.

Hon. Peter Parker

U. S. Chargé d'Affaires

In China.

No. 2.

Legation of the United States,
Canton, 26th July, 1851.

Sir,

I have the honor to acknowledge the receipt of your communications of the 14th and 20th Inst.

In view of all the circumstances of the case I am induced to concur in the opinion, you have expressed, of the expediency of deferring further action upon the subject for the moment. The brief search of the "Salamander" has been restricted, however, to a few places on the South Western Shores of Formosa, and all the reasons that heretofore existed for visiting the Eastern Coast of that island still remain in all their force; and from the lively interest you have evinced in the subject I am encouraged to hope it will continue to receive your earnest considerations, and that at no distant day the measures already matured, will be duly carried out.

While waiting more favorable circumstances for the prosecution of the object, important results may follow from the enquiries now instituted

through Chinese Traders to Formosa.

I avail myself of this occasion to renew to you my sentiments of high regard & remain

Sir,

Your Obedient Servant

Peter Parker

To

W. S. Walker Esq.

Commander & Senior Officer,

East India Squadron

U. S. S. "Saratoga"

Bocca Tigris

No. 3.

U. S. Ship "Saratoga"
Bocca Tigris
August 6th 1841

Sir

On my arrival here a few days since I received from the U. S. Consul your communication of the 26th ultimo acknowledging the receipt of mine of a previous date.

I am most happy to find that we perfectly agree in sentiment and feeling with reference to the subject matter of our late correspondence: and I avail myself of this occasion to thank you for your approbation of the course I have thought best to pursue in the premises.

With sentiments of the highest respect
I have the Honor to be
Your obdt. Servant
(signed) W. S. Walker
Commander & Senior Officer
East India Squadron.

Hon. Peter Parker
U. S. Chargé d'Affaires
Canton

No. 4. No 33

United States Consulate, Amoy,

25th July, 1857.

Sir,

The arrival of the British brig "Sennet", on the 22d inst, put me in possession of your official letter of 7th July, - to which I have now the honour of replying.

Immediately after the receipt of said despatch I began to institute such investigations as might lead to the choice of an agent suitable for the projected undertaking. After due preliminary inquiries and mature deliberation I came to these conclusions: -

1st That there is reason to believe that the Magistracy of Tuhkien province (as well as that of Formosa, of which province it is a dependency) do, at least, connive at the detention of foreigners Shipwrecked on the island

2d That the reward being totally contingent on the successful issue of a business wherein no precise data for operation can be furnished, it would be difficult if not impossible to secure the services of a "merchant" properly qualified for the task.

3d That the Merchant applied to to act as agent in the matter would probably find it as much to his advantage to inform the Taotai, at once, of

The Hon'ble Peter Parker, M. D.
Chargé d' Affaires ad interim, &c.

the overtures made to him, as he would were he to return from Formosa with the letters on which the reward is dependant.

Her Britannic Majesty's Consul at this port fully agreeing with me in these views, I have deemed it inexpedient to open with any Commercial Man in Amoy such a negotiation as would clearly make known to him the object of the Honorable Charge, and thereby endanger the success of this benevolent enterprise. Under these circumstances I have thought it best to depart from the strict letter of my instructions, and instead of employing a "Merchant" I have selected (Ou-Siang,) a Christian native now in the service of the A. B. C. F. M., as their Evangelist. The inducements which have led me to this selection are these:- I can depend on Ou-Siang for prudence, fidelity, and technique in the conduct of the matter. He speaks fluently the dialects of the Court, of Kiu-yin-chow, ( ) and Amoy. As a native of Kiu-yin-chow he will have a great advantage, since its dialect is the common medium of intercourse along the West Coast of Formosa, at a little remove from the sea, where researches are particularly desirable.

I have found it necessary to advance

the sum of $50 for his expenses, - to be deducted from the $500, reward promised in the event of success; failing which the said amount, or so much thereof as shall be necessarily expended in prosecuting the said investigation is not to be returned by him.

Although I am authorized by your letter to offer such advance, yet I trust that will be sanctioned, and that the obligation will be assumed by the Legation, - since without such pledge no agent could be secured, - and I judged that to await your decision on so small an amount, when immediate action was called for alike by yourself and by the circumstances of the case, would be unworthy of the occasion and of the officers of an enlightened Government.

Herewith I enclose [A] a copy of the instructions furnished the said Agent, and also the copy of a note to be delivered by him to any person who may come within the objects of his mission [B] He will sail for the place of his Destination on or about the 28th Inst, - and upon the receipt of his report, a relation of it will be transmitted to you without delay.

I am happy, Sir, to have received your commands in this noble cause, - and any assistance which it may be in my power to give either officially or privately, I shall be most sincerely happy to render.

With profound respect,

I am Sir,

Your very Obedient Servant.

(signed) Charles William Bradley.

[A]

(Translation.)

Instructions to _____

United States Consulate, Amoy,
25th July 1851

You are to proceed with all convenient dispatch either to Tywan-foo or to Tun-keang, supposed to be about 180 li South of said port of Tywan. At the latter place you will put yourself in communication with _____ (Lin Van-chang,) and others,— the individuals, who assisted in the rescue of the crew of the British barque "Serpent," and endeavour to secure their cooperation in ascertaining whether there be any citizens of the United States, or any Europeans now held in bondage on the island. Your first researches are to be particularly made in the interior of the Southern part,— and if, whilst prosecuting your inquiries on the Coast, you discover an American Man-of-War, you are to report to it immediately the previous success or failure of your mission, and receive and act upon any such orders as the Commanding Officer thereof may give.— Should you not fall in with such Ship-of-War, or, should you receive no counter-instructions therefrom, you will proceed Northward along the Western Coast, visiting the principal Sea-ports and extending your inquiries as far inland as may be practicable, where in your opinion, there is any chance of success. No limit is fixed for the extent of this Northern Survey,— but you are to be guided in it by probabilities of accomplishing more largely the purpose of your mission.

On the Coast, and especially at dangerous Points and populous Villages, you are to inquire whether any foreign vessels have been wrecked there within a few years

past, and upon learning the fact of such loss, to seek diligently for traces of any person, who may have been saved. Should you, during these investigations, learn that shipwrecked seamen have been murdered by the natives, you will note the fact, with the circumstances attending it.

If, happily, any United States citizen or any European can be found, you will make it your business to obtain an interview with him, when you will deliver to him the letter, and wait his reply.

The greatest circumspection and prudence is enjoined throughout this negotiation, lest the civil authorities should have knowledge or suspicion of your object in visiting the island, which might entirely frustrate the end for which you are sent. On this account, also, you are not to diffuse the doctrines of our religion, either by the distribution of printed books, by preaching, or otherwise, — at least until the work on which you are now specially sent is brought to a close.

Every important fact relating to the business with which you are entrusted will be carefully noted, and your investigations ended, you will report to me without delay.

[B]

To any or all Citizens of the United States and to all Europeans on the island of Formosa

United States Consulate,
Amoy, China 25th July 1881.

You are hereby requested to make known in writing, if possible, the principal circumstances of your Captivity, stating your name, locality on the island, the name of the person detaining you, at what time and from what vessel you were wrecked, and any other matter which may serve to expedite your deliverance, for which instant and effectual measures will be taken.

The bearer of this Ou-Siang is worthy of full confidence, and will deliver to me your communication

(signed) Charles William Bradley

B

No. 5.

No. 38.

United States Consulate, Amoy,
27th June, 1857.

Sir,

In replying to your despatch of 2d May, I advert also to your unofficial letter of the 6th of the same month, disapproving of my nomination of R. E. Wilson, Esq. In place of that gentleman I now propose to appoint Mr Charles W. Bradley, Jr, an American citizen, to be Vice-Consul in charge during my absence.

With regard to the judicial powers granted to certain consuls in China, by Sec. 1, of an Act of Congress - Approved Aug. 11. 1848, - it is my impression that a transfer of these powers was made by - Paul S. Forbes, Esq., of Canton, to his Vice-Consul, R. B. Forbes, Esq., and that this act was sanctioned by the Department. If I be right in this supposition, the question seems to me to be a settled one, - that - even the judicature appertaining to the office may be vested in the Vice-Consul in charge, with the consent of the State Department.

I have the Honour to be, Sir,
With very great respect,
Your Obedient Servant,
(signed) Charles William Bradley

The Hon. & Revd Peter Parker, M. D.,
Chargé d' Affaires ad interim, &c.

No. 6.

Legation of the United States,
Canton, 25th July, 1851.

Sir,

Your despatches Nos. 31 and 32, of the 23d and 27th ultimo, came to hand a few days since, in the latter of which you propose to appoint Mr Charles W. Bradley Jr, to be Vice Consul in charge during your absence. From the direct and indirect testimony I have of the qualifications of that gentleman I approve the choice you have made, and upon being informed of his assuming the duties of Vice Consul, shall in due course announce the same to the Chinese Government, conformably to the usage of this Legation. I find by reference to the Archives that in the appointment of R. B. Forbes, Esqr as Vice Consul at Canton no allusion is made to his exercising judicial powers, yet I am under the impression that in one or more instances such powers and duties were exercised by him. Whether this has been "sanctioned" by the State Department I have no knowledge. My opinion of the proper construction of the Act of Congress of 11. Aug. 1848, still remains as expressed in my despatch of 2d May 1851, but in view of the precedent to which you refer, I shall acquiesce in your nominee exercising the

same powers, should occasion require, subject to the decision of the Hon: Secretary of State.

I have the Honor to remain, Sir,

Your Obedient Servant

Peter Parker

Chas. Wm. Bradley Esq.re

United States Consul

Amoy.

Recd Dec 15th.

Duplicate.

Mr. A H Dearth.

Canton, 19th September, 1857.

Hon: Daniel Webster,
Secretary of State of the United States,
Sir,

I have received a letter from Sandwith Drinker Esqr of Hongkong, adverting to the public announcement of the discontinuance of the firm of Messrs Bush & Co, from which he infers the United States Consulate in that Colony may become vacant;- and stating that if so, he wishes to be appointed to that office, and requests me to give him my recommendation to you, to be used in the event of the present incumbent leaving the Colony permanently.

With this distinct understanding, intimately acquainted as I am with Mr Drinker, I comply with his request. By way of defining his qualifications for the office he seeks, permit me to state for your information and that of the President, that Mr Drinker is a Philadelphian, that he is of one of the oldest and most respected families of Pensylvania, and is the managing partner of one of the only two well known American firms in Hongkong, where he has resided some five years and is generally respected. He claims to have served his countrymen by introducing that port to the

notice of those whalers who pursue their occupation in the seas about Japan and Northward, and those who have visited Hongkong, and the number is considerable, with scarce an exception have placed their business in his hands. I am informed on the best authority that he is sole agent in China for American underwriters, and for several of the American Houses in this City.

If when the office of United States Consul at Hongkong shall become vacant, it should please the President to appoint Mr Drinker to that office, which is one of much importance, I am confident its duties will be discharged by him with ability, fidelity, and justice, judging from my acquaintance with his character, social position and talents, and the important trusts which are already reposed in him by underwriters, and others as a mercantile man.

With the above plain statement of my views and the extent of my information regarding the qualifications of Mr Drinker for the office for which, under the specified contingency, he may become an applicant and with sentiments of great

respect, I have the honor to remain,

Sir,

Your Obedient Servant,

Peter Parker

Recd Dec. 15th

Wm A B Derrick

Legation of the United States,
Canton, 24th September, 1851.

No 20.

Hon. Danl. Webster,
Secretary of State.

Sir,

I have the honor to acknowledge receipt, by last mail, of your Despatch No 3, of 13th June, Original and duplicate, enclosing two sealed packets addressed to Commodore John H. Aulick of the United States Navy, and also of dispatch No 4, of 21st June containing the wish of the President in relation to subjects of His Imperial Majesty the Emperor of Russia in China.

No time has been lost in carefully translating into Chinese Commodore Aulick's full power to treat with Japan, and the President's letter to the Emperor of Japan. I propose to procure a translation of the above Documents into Dutch also, as the Dutch language was found by Commodore James Biddle in 1846, to be the best medium of communication

with the Japanese in the harbor of Yedo.

Under the apprehension of the early arrival of Commodore Aulick in these waters, on the day of the receipt of the Despatches for him I addressed him the accompanying letter (vide enclos: A.).

Your Despatch No 4 was received on the 11th inst: and on the 12th a circular (vide enclos: B.) was addressed to the respective Consuls of the United States in China, - and on the 15th inst: a note containing a Copy of your Despatch No 4 (vide enclos: C.) was forwarded to the United States Consuls at Hongkong and Macao. (Enclos: D. is an acknowledgement of R. P. D'Silver Esqre, United States Consul, Macao, enclos: E. circular to Consuls to affix their respective signatures to "Rules and Regulations to Masters of vessels &c").

I am confident the Diplomatic and Consular agents of the United States in China, both from the promptings of their own feelings, and from respect

to the wish of the President, will have great pleasure in rendering (to the extent of their power) all lawful aid and assistance, whenever this may be necessary, to the subjects of a power to which America is bound by such bonds of interest and amity as it is to that of His Imperial Majesty the Emperor of Russia.

As it may be of interest to the Department, I have thrown into a brief note (enclos: F.) a memoranda of all the Russian vessels that have appeared in these waters since the Treaty of Nanking so far as I am informed. Some of these vessels have been loaded with Chinese produces, and Manufactures, by Americans and Germans, on mixed account, for different ports of the United States, and elsewhere.

My attention having been directed to the subject of Russian interests at the maritime ports of China by your Circular, I find

on examination that it is becoming "
one of some moment." The pleasure
of the President is that "the Diplomatic
and Consular agents of the United States
in China render all lawful aid
and assistance" to Russians in
China. Now the Russians have
no treaty right to trade at the five
ports, and the Chinese authorities
have ruled that they cannot. As
I am informed they do not particularly object to the trade per se, but
they apprehend, if Russia, in addition
to her inland trade, is allowed to
participate in the maritime Commerce, other nations, who by their
respective treaties are to be placed
upon the same footing as the most
favored countries, will demand the
right also to inland trade. This
being the Chinese objection, foreigners
seem to have less scruple in aiding
the Russians in a way that does
not compromise the Imperial Government in the above particular,
no vessel being entered under the

Russian flag. The Freja was built in Finland, had a Finish register, and was entered under the Finish flag.

The Nicolai 1st. American built for the Russian American fur Company was laden at Woosung. Her import and export Cargo being entered at Shanghae, and exported to Woosung, in an American vessel. It has been intimated to me that the Sitka has been entered at this port under a South American flag; all of which, the Freja perhaps excepted, is manifestly irregular, contrary to Treaty, and to all straight forward Commercial usage.

As there may be sufficient time before another Russian vessel arrives in these waters, to refer the subject to the consideration of the Department, where if deemed expedient friendly conference may be had with the Russian Ministers at Washington upon the subject, I prefer to do so, and respectfully await your instructions.

Herewith I beg to enclose

you a copy of a communication from J. A. A. Griswold Esqre, our Consul at Shanghae, of the 28th June (G) and its enclosures all in Chinese, which I have translated (N°s 1, 2, 3, 4, 5, 6, 7 & 8) being the Correspondence between the U. S. Consulate and the local Authorities at Shanghae, upon the subject of the revenue, and of the non-exportation of Chinese grains. My despatch of the 28th Aug. to His Excellency the Imperial Commissioner (enclos: A) and the joint reply, of the 12th inst. of their Excellencies Sew, the Vice-Roy, and Yëe, the Governor of Canton, (I) will show the manner in which the first named subject has been disposed of. It appears to me the Treaty provides ample remedy for the evil of which the Taoutae complained, and so long as that is commensurate with the exigencies of the revenue, no utility can arise from substituting other preventives. By a perusal of Their Excellencies' reply of the 12th inst., you will perceive their entire concurrence to my

views. On the 9th September I addressed the Imperial Commissioner (F) upon the subject of the non-exportation of grains, the produce of China. For a succint view of the whole subject permit me to refer you to that paper. Further comment upon it is deferred till the receipt of His Excellency's reply. On the 22d inst: I addressed the United States Consul at Shanghae (K) enclosing copies of (G.H. & J) and also translations of enclosures Nos: 1 to 8, and a semi-official letter of the same date (L) submitting a few observations upon the Style of the Chinese of the correspondence which I had had occasion to translate. In this despatch I called Mr Griswold's attention to a notice issued by him on the 26th July (M) in which it was made known that a fee of $25 for the amendment of all manifests, and for some, under a specified condition, a fee of $150,

would be levied upon the Consignees. This act has given rise to public comment (vide enclosed "North China Herald" 2d Aug.) and dissatisfaction, on the part of our citizens, as being high handed and illegal. Regarding the general instructions of our government to the Consuls and Commercial agents of the United States as not authorizing fees so disproportionate to those specified in Chap VIII of said instructions issued in 1838, I have deemed it my duty to require Mr Griswold to revoke the said notice, and to apply to the evil complained of the existing preventive of the Treaty.

In my despatch No 18, I had the honor to inform you the British Government had notified that of the Chinese, that the duty of Chinese custom house officers would no longer be performed at British Consulates. The effect seems to have been to render this Government more vigilant, and the enclosed Edict

-/A/ from Chang the acting Prefect, relative to the reporting of teas at Canton, is probably traceable to that fact. At Shanghae a similar notification of the British Consul has led to the adoption of a series of new custom house regulations which may become the subject of future consideration. This Government is to be wished success in all lawful measures to arrest flagrant frauds on the revenue.

It has been announced in the local journals that the Revd J. Calder has been appointed United States Vice-Consul at Foo-Chow-foo. As no intimation that such is the fact has been communicated to this Legation, either from the Department, or from Mr Calder whom I saw when passing through Canton to Foo-chow, I addressed him the accompanying letter, /D/, on the 12th instant.

In consequence of the

death of a principal witness Mr. Bradley is unable to substantiate one of the main points in his complaint against the authorities at Amoy viz. that of their receiving bribes (vide his despatch No 31 and Appendix to No 31 No 36 is a brief note from Mr Bradley) and the right of foreign jurisdiction over subjects of China being one that the Treaty does not sustain, the chief ground of complaint now is the failure to fulfil engagements, and marked incivilities, on the part of the Chinese officers towards the Consul. The Imperial Commissioner being absent I propose to postpone for the present moment further correspondence upon the subject.

With sentiments of high regard, I remain,

Sir,

Your most obedt. Servt.

Peter Parker

Mr. Parker's No 20.

(A.)

Legation of the United States,
Canton, 11th September 1857.

Sir,

In anticipation of your early arrival in China, I write to inform you of the receipt, this day, from the State Department, of voluminous Despatches to your address, and my care, and to be transmitted you on your "arrival in the China Seas."

Copies of President Fillmore's letter to H. M. the Emperor of Japan, and of your full powers to negociate a Treaty with that Empire, have also been received, which I shall lose no time, in accordance with instructions of the Department, in translating.

On hearing of your arrival I shall avail myself of the first safe medium of transmitting to you these Despatches.

I take this opportunity to extend to you a cordial invitation

To

Commodore John H. Aulick,
&c, &c, &c.

to make the House of Legation your home on your arrival in China, when I shall have much pleasure in renewing your acquaintance and in conferring with you on various subjects of public interest.

With sentiments of high regard

I have the honor to be
Sir,
Your Obedient Servt.

Peter Parker

(B.)

Legation of the United States,
Canton, 12th September, 1851

To

Paul S. Forbes,
John N. Alsop Griswold, and
Charles Wm. Bradley, Esquires
Consuls of the United States in
China

Sirs,

By a despatch from the Hon: Secretary of State, of the United States, received on the 10th instant, I am informed "as His Majesty the Emperor of Russia has no representatives, either at Canton or at the Sandwich islands, it is the wish of the President that the Diplomatic and Consular agents of the United States there should give all lawful aid and assistance to the subjects of Russia in China and in those islands, whenever this may be necessary;" and I am directed by the State Department to and hereby do, I "give instructions to this effect to the respective

Consuls of the United States in China."

I am, Sirs, respectfully,
Your Obedient Servant,

Peter Parker

(C.)

Legation of the United States.
Canton, 15th September, 1851.

Sir,

As opportunities may occur in which it will be in your power to carry out the wish of the President as expressed in the accompanying Dispatch relating to subjects of His Imperial Majesty the Emperor of Russia in China, a copy thereof is herewith transmitted for your information and guidance.

I am, Sir, respectfully,
Your Obedient Servant
Peter Parker

J. T. Bush Esqr.,
United States Consul,
Shanghai.

Robt. P. De Silver Esqr.
United States Consul,
Macao

(1)

(D.)

Consulate of the U. States of America
Macao September 22d 1861

Sir,

I have the honor to acknowledge the receipt of your letter of 15th inst covering copy of a Despatch addressed to you by the Hont the Secretary of State requesting you to give instructions to the respective United States Consuls in China to render all lawful aid and assistance to the subjects of His Majesty the Emperor of Russia. It will give me great pleasure to have it in my power to carry out the wishes of the President of the United States.

I am Sir
With much respect
Your Obedt Servt

(signed) Robt. P. DeSilver
U. S. Consul

To the
Hont P. Parker
U. States Charge d' affaires
Canton

(E.)

Legation of the United States,
Canton, 12th September, 1851.

To

Paul S. Forbes,
John N. Alsop Griswold, and
Charles W. Bradley, Esquires,
Consuls of the United States
in China.

Sirs,

The accompanying Rules and Regulations for Masters, Officers, and Seamen &c. — having received the assent of the respective Consuls, it will be proper in future they be issued, with the assent of each Consul attended as in the enclosed Copy.

I have the honor, to be,

Sirs,

Respectfully,
Your Obedient Servant,

Peter Parker.

N. B. The copy contained the signatures in the order of their dates.

(7.)

Memoranda of Russian vessels in China.

The first Russian vessel that appeared in the Chinese waters since the Treaty of Nanking was the Imperial Russian American Fur Company's ship Prince Menchikoff which arrived at Shanghae (1849-50) with Furs, &c, and was denied entry by the Chinese Authorities, and consequently left that port without transacting business.

The Russian Barque Freja in 1850 loaded at Hongkong for San Francisco with Chinese produce and manufactures chiefly, sold her Cargo in San Francisco and returned to China and has again been loaded with Chinese produce and manufactures, and sailed from Whampoa for New York on the 28th ult. July last.

The Russian Barque Sitka is under despatch by the Russian Consul for New York, at $12 per ton of 40 feet.

The Russian American Fur Company's vessel Nicolai 1st sailed from Shanghae for St Petersburgh or the Russian possessions on the N. W. Coast of America on the 24th August last (1851) with Chinese produce, and it is stated will return. The Nicolai 1st was loaded on Fur Company's account by Americans. The Freja on American account chiefly and

by Americans. The Sitka on mixed account by Germans. Furs hitherto have been sent to China via Sandwich islands, but in future, the exceedingly low freight from San Francisco will probably give to that port the preference.

(G.)

United States Consulate,
Shanghai, June 28th 1857.

Sir,

I am honored by the receipt of your letter of 3d June covering copy of a despatch from His Exly Yeh regarding certain proposed measures for guarding the revenue at this port.

In reply I beg to state that on the 14th December I received the enclosed communication (No 1) from the Taotai on the subject to which I replied as p communication (No 2) also enclosed.

You will observe that the Taotai's letter (which is the only one I have received from him on the subject) relates entirely to Exports (Sea & Lille) and does not allude in any way to Imports. In my answer I did not dissent from his proposal; but as there was some doubts how the plan would work, and whether it might not be made the means of further exactions upon the Foreign trade. I merely reserved for myself the power of hereafter dissenting should it be found in its working to conflict with the rights guaranteed by Treaty or

prove injurious to our trade. So far from the English Consul having assented to the regulation I am expressly informed by him that he did not do so; but in his reply left the matter open for future adjustment and discussion.

Since my return to Shanghae the subject has been under the consideration of the Foreign Consuls, and several plans suggested for the prevention of smuggling, to no one of which however, could all the Consuls, and the Chinese Authorities be brought to assent.

The Chinese Authorities were strongly disposed to make the payment of duties upon Exports compulsory on their own subjects checking the quantities by the Sanquitans issued at the inland Custom House. Deeming this no wise detrimental to the interest of the fair trading Foreigner, I was inclined to assent to it, as was also the English Consul, until the arrival of last Mail which brought him despatches from Lord Palmerston stating that he did not deem it advisable to agree to any plan which rendered the payment of duties compulsory upon the Chinese.

The whole negotiation has accordingly fallen to the ground, and the Custom

House regulations so far as the assent of the Foreign Consuls is concerned stand upon precisely the same basis, that they did last year, when smuggling was carried on to a great an extent. It will be obvious to you that any regulation for the prevention of Smuggling must be binding upon all the Foreign nations trading here, as otherwise the vessels of those nations to whom they were not applicable, having a Monopoly of Smuggling would now gather the whole of the carrying trade into their hands.

As regards Imports I have to state that in consultation with the English Consul since my return, and with reference to his correspondence with the British Chamber of Commerce I declined acceding to their proposal that the Manifests of U. S. Vessels should specify Marks, Numbers, Shippers and Consignees of Goods and be open for public inspection at their office and the Custom House, as I deemed such publicity useless for the end in view, calculated to be

injurious and distasteful to the U. S. Merchants generally and only suited to gratify the curiosity of certain parties who had nothing better to do than to pry into their Neighbours affairs. I offered however that the Manifests should specify the number of packages separately containing particular description of goods or number of pieces which would be open to the public and remain to be verified by the Chinese Custom House officers when landed; they being entitled to seize any goods in excess of the Manifest. The marks and numbers would be useless, as the Custom House officers could not understand them; as would also particulars of Shippers & Consignees which if exacted might give good grounds for any Countryman alledging that in my capacity of Consul I required information not necessary to the prevention of smuggling but which I availed of to my own advantage as a Merchant.

As matters now stand I can see no remedy for smuggling except in an efficient Custom House Staff to take account of goods as landed and shipped, which is what they have never yet had here, the whole Establishment consisting of a few worthless individuals, who until lately have paid no attention to their duties. If the Chinese Government will not afford or cannot obtain a sufficient or proper Custom House Staff to

collect their duties they have no one to blame but themselves.

Both Mr Merck & myself have repeatedly urged the Porte to obtain a larger number, and more efficient Custom House officers, and assured him of our readiness to afford every facility for the proper examination of the goods; but all to no purpose We have suggested to him that he might place an officer on board each vessel as she arrives, whose duty it would be to take an account of all goods as landed or shipped; but his reply is "that the Government allowance for the collection of the revenue is not sufficient to pay the requisite number or secure the services of officers who would not be open to bribery.

The Warehouses alluded to by the Porte in his communication to His Excy Lew I do not deem objectionable as at present managed they being private Establishments and the Sea men at liberty to place their goods in any Warehouse they please. Should it be found hereafter degenerating into a Monopoly or being made the source of any additional import it will then be time enough to object.

It remains to be seen what course the Authorities here will pursue in regard to the proposed new regulation. My impression is that

they will still hold the Tea & Silk ones responsible for duties on all the Produce passing the inland Custom House, and the nominally Foreigners may be at liberty to buy short price, the business will be placed in a good deal the same footing as at Canton where nine tenths if not all the duties on Exports are collected from the Chinese.

For my own part I see no objection to this system as it places all Foreigners on the same footing, and Smuggling if carried on at all will be by the Chinese. Any Foreigner being at liberty to purchase from a Smuggler as much as from another without infringing upon conscientious Scruples that may exist when it ceases to Smuggling themselves. I imagine that Lord Palmerston's objection to allowing the duties to be made compulsory upon the Chinese arises from an apprehension that the Government might make this the Means of levying additional imports upon the Trade. This I think however is not likely to be the case as if the Government have the inclination to increase the tax upon Tea & Silk it would be much easier and more secret for them to levy it in the interior as an inland Transit duty, than here immediately under the notice of the Foreign Authorities who

would soon hear of and take measures to suppress it.

The copy of the communication from His Exy Lew upon the subject of the Export of Rice and Wheat to which you allude not being enclosed in your letter under reply I am ignorant of its purport. I believe I explained pretty fully my views on this point when I had the honor of seeing you at Canton, and have only now to add Copies Nos 3 & 8 of all the Correspondence that has passed between the Chinese Authorities & myself on the subject. There can be no question that up to the date of the Tsutaes first Communication to me, M. D. Vessels had a perfect right to take away Grain, as no notice had ever been given to the M. D. Representative of a prohibition upon the Export, the information and consequent arrangement being confined exclusively to the English. Upon principle it is a matter for consideration whether our acknowledging the force of the local regulation prohibiting the Export of Grain, may not be made the means of hereafter forbidding the Export or Import of some other Article more important to our trade upon the like plea. As a matter of Policy however, the Export

of Breadstuffs being unpopular in this district and unquestionably restricted as regards Native crafts and the English having agreed to this prohibition it may be well for us to do likewise.

I regret being obliged to trouble you with the enclosed copies of Correspondence in Chinese; but having no interpreter all my translations are necessary oral ones.

I have the Honor to be, Sir,

Very Respectfully,

Your Obedient Servant

(signed) S. W. W. Griswold.

Revd Peter Parker

Chargé d'Affaires ad interim

of the U. S. at Canton

No 1.

/Translation/

Woo, Acting Superintendent of the Customs of Keang Nan assistant Commissary of Soochow, Sangchow, and Tae Tsang Chow, and by Imperial promotion Commissioner for the transport of Salt, has the honor to make this communication discussing the subject of the management of the customs.

From the commencement of free trade to the present moment at this Custom house in the management of the duties there has been uniform adherence to justice, But recently in consequence of the commissions of the Silk and Tea warehouses and Brokers daily diminishing while their expenses have daily augmented. in relation to the duties upon Silks and Teas partial reports have been made and a variety of evils sprung up greater than can be pointed out.

I, the Tsotae have in person received the appointment of the high officers, the Governor and Lieutenant Governor, to come to Shanghae and superintend the business of the Custom house, and they personally enjoined and impressed upon me to manage it in conformity to truth, in order to put and end to the evil of clandestinely defrauding the revenue. Therefore, with a view to this object, I in the first place caused a copy of a triplicate manifest to be issued /to the Merchants/ at the military Stations on the North and South on the day of the arrival of the Silks and Teas at the Stations, in order to the examination of the Silks and Teas at their exportation, which is altogether without inconvenience to the Silk and Tea Merchants, the Masters of the Warehouses, and the Merchants of the United States. It is perfectly optional with the latter whether they put their Silks and Teas immediately on board their vessels and export them, or on the day of purchasing place them in their own Warehouses for two or three months waiting the arrival of vessels at Shanghae to export them, or whether they pay the duties in separate instalments and before or after they are shipped, and there is no hurrying

a impeding them. The triplicate manifest is for the convenience of the Silk and Tea warehouses on the day of selling and delivering different Cargo to note when it be amount sold, and then there cannot be any defrauding the revenue. If on the day the said warehouses sell the Silks and Teas the duties thereon are to be paid by the United States Merchants themselves, then instead of the Silk and Tea ware houses they can take the triplicate manifest to the Shroff chop, and have notes in the margin the amount paid upon the Hon Chow Silks and the green and black Teas according to the number and size of the cases and chests, and return the manifest to the Silk and Tea ware houses who are afterwards to bring the triplicate manifest to this Custom house to be examined, or, if it is clearly settled that the duties shall be paid by the pais Traders of the warehouses, they are to proceed according to this rule.

I, the Tsotae have established these new regulations, which are convenient and important to the free trade, and all without the slightest impediment and difficulty in execution, and propose that they go into effect in relation to all newly arrived Silks and Teas from the 1st of February next.

I have simply sought uniformity in buying and selling, and to have those who shall be responsible for the duties, which is not far from even handed justice between us. Now the Hon. Consul has received his appointment to Shanghae with a view to the just management of the affairs of the Custom House, and if he has any other means more effectual for putting an end to Smuggling, I still pray he will devise them and inform me. I make this communication and ask the Hon. Consul whether they be proper or not, and that having considered them to arrange with me for carrying them into effect. As requisite I make this communication.

The foregoing communication is addressed to Hon. A. A. Griswold Esqr. American Consul, Shanghae.

Taoukwang 30 year, 11 moon, 12 Day.
(15th Dec. 1850)

No. 2

(Translation)

Consulate of the United States,
Shanghae, 24. Dec. 1850

Sir,

The undersigned, Consul of the United States at Shanghae, has the honor to acknowledge the receipt of your communication of the 16th inst. containing newly established Regulations professing the issuing of triplicate Manifest &c.

The undersigned Consul having perused the communication through exceedingly commends the Hon. Taotae for purifying the source and putting of the flow, and excerpting away entirely the various evils, of clandestinely defrauding the revenue, which is the way truly to be able to manage the affairs of the Customs. But at the (first) establishment of the Regulations, it will be difficult to carry them into effect, since all the Silk and Tea merchants are left without the power of evading the net of the law, but it is necessary that the Regulations be without impediment to the merchants of any country and then they will not be far from being most complete. Hereafter the undersigned Consul will manage accordingly, without presuming to propose any thing different, he simply makes this reply to the Hon. Taotae, and begs to trouble him to examine and find accordingly, and "grant it may be done". As requisite he makes this reply.

(Signed) Wm. A. A. Griswold.

To
Woo,
Acting Superintendent of Customs.

&c. &c. &c.

No 3

/ Translation /

Wou, acting Superintendent of the Customs of Kiang Nan, &c. &c. &c., has the honor to make this communication.

Whereas the country about Shanghae is not adapted to the growth of wheat and rice but for the production of Cotton, the people depend entirely for their daily rice upon the merchants from other places who purchase it and bring it to Shanghae, to keep up the supply. Therefore the Custom house tarif established by the Emperor contains a clear prohibition of the Exportation of rice, wheat, peas and paddy, and a proclamation / to this effect / has been issued and has been on record for a long period. Now I find on examination that some of the merchants of the United States have bought and exported wheat and rice to foreign parts, and thinking it arose from their not being aware that Shanghae does not produce rice, I address the Hon: Consul, that he may immediately issue orders to the merchants to desist from buying it in order to conform to the established tarif. Foreign rice and wheat is imported free of duty with a view to

keep up a supply of food for the people, from which it may be understood that Chinese rice is not allowed to be exported. As it is requisite this should be understood I now address you.

The foregoing communication is addressed to Geo: T. A. Griswold Esqre, United States Consul, Shanghae.

Heen Fung, 1st year, 3^d moon, 3^d day.

14th April 1851.

No 4.

(Translation)

United States Consulate,
Shanghae, 5th April 1861.

Sir,

The undersigned Consul of the United States at Shanghae has the honor to acknowledge the receipt of the Hon: Taoutae's communication of yesterday's date in which he sets forth "that the Country about Shanghae does "not produce rice and wheat and "that the entire dependence is upon "merchants from other places buying "rice to keep up the supply, and more "over that the Custom house tarif esta "blished by the Emperor contains clear "prohibition of the Exportation of rice, "wheat and peas &c." The undersigned on a former occasion examined the free trade regulations and found that there was not contained therein any prohibition of foreign merchants pur chasing and exporting rice. Further more by the 5th Article it is clearly provided that Merchants of the United States may transport every kind of merchandize and import

it, and at their pleasure buy and export every kind of Goods, except Gold, Silver, Saltpetre and Sulphur, which are distinctly prohibited. The undersigned will trouble the Hon: Taoutae to examine and point out in what article this regulation is contained. To trace the subject to its origin it may be stated, that formerly at Canton where the fields are exceeding small and the food (required) for the people is very great, and moreover the population is dense without places to build houses, so that a very great number live in boats, therefore the grain for food is constantly inadequate (to the demand). After this your Hon: nation's ministers and Imperial Commissioner with the English Ministers and Commissioner changed the former regulation and deliberated and settled that it should not contain that English vessels in China should buy and export grain. This article the undersigned has

already perused, but in his humble
station's regulation certainly there
has been no change, and more
over the face of the country at
Shanghae is not the same as at
Canton. At this place the fields
are exceedingly numerous and the
population can be counted, and
last year the crops were abundant
and now the rice, wheat, peas and
paddy are plenty, and the price
being low, his merchant Ae Chang
(?) purchased rice and wheat, in
as much as the price was exceeding
low, white rice not exceeding Three
Dollars the Shih and wheat not
exceeding One Dollar and a quarter
per Shih, and in one month after
new wheat would be harvested
and the old wheat could be dis-
posed of, and my merchant's
buying it is an accommodation
to the farmer who can easily
exchange the old for new, and
therefore it is an accommodation
to both parties, and still more,

rice being cheap the people will not eat wheat.

When two years since the season was bad here, United States merchants brought to Shanghae several tens of myriads of rice, in order to supply the demand of the people, of which he apprehends the Hon: Taoutae has heard. Now the present year the season is exceedingly abundant, and the farmers have an excess of Grain, and if not allowed to sell, the farmers alas! will have it rot [on their hands]. If truly there is scarcity in this place his merchants will wish to import it from other places, and how can you refuse their carrying it away as is mutually right for both parties? If truly there formerly existed this regulation not allowing the purchasing and transportation of grain his merchants nevertheless export it they may be considered to have broken that law-

but his merchants buy wheat in consequence of their ships having entered port and there not being Ditto's and Tea's that they can freight with, therefore they take wheat in order to compensate them for tonage duty. This is done incidentally, and not that they purchase rice and wheat with a view to obtaining a living by it, and the undersigned requests the Hon: Taotae not to be too suspicious. But as rice is imported free of duty, it is admissible to pay on exporting it an ad valorem duty of five per cent. If you say absolutely it is not permitted to export them then alter the regulations [i.e. Treaty], and he requests and prays you will first with your Hon: Nation's Commissioner at Canton and with his Government deliberate and settle it, and then it may be done.

The undersigned Consul is of opinion that the Exportation of rice and wheat will not be

to any great extent, and that it is useless to be tenacious of its own Exportation. If the undersigned were to issue orders to the said merchants prohibiting their Exportation, they might ask in what article / of the Treaty / this regulation is contained, and he would not have a word to say in reply, and he prays the Hon: Taoutae to devise for him / an answer to this Question /. It is a trifling matter to annoy one with, but he can but lay open the matter clearly, and it is not that the undersigned is not near to common sense and reason, and he hopes he / the Taoutae / will consider this and excuse him.

The undersigned makes this reply, and humbly / literally "prostrate on his face" / hopes he / the Taoutae will examine and find accordingly and grant it may be done. & Prequisite he makes this reply.

Signed J. Jno: N. A. Griswold

To

Wm.

the Taoutae, and Acting

Superintendent of Customs, &c. &c. &c.

No. 5.

/Translation/

Woo, acting Superintendent of Customs &c., &c., &c., having examined the law, has the honor to make this communication.

I have received the Hon: Consul's reply, in which he states "that he "has examined the free trade regu- "lations, and finds that they do not "contain any article prohibiting mer- "chants buying and exporting rice "and wheat, and moreover that "the 5th Article clearly provides "that merchants of the United States "can transport and import every "kind of merchandize and that "it is optional with them to buy and "export every kind of Goods except "Gold, Silver, Saltpetre and Sulphur, "which are distinctly prohibited, and "as to grains it is not said that "they are not allowed to be exported, "and would trouble the Hon: Taoutae "to examine and inform him in "what article this regulation is con- "tained, &c." This coming before me the Superintendent of Customs, I have

examined the Custom house tarif and find that it prohibits the foreign exportation of rice, wheat, peas, paddy and other grains. In the reign of Kiang-le the Emperor was memorialigd and the Regulation imperially settled, and, it has been printed in the tarif, now for a century and several tens of years, prohibiting it for ever. Therefore the Custom house tarif clearly contains that not only rice and paddy cannot be brought and exported, but that Chinese merchant junk's crews taking with them rice for food, every junk calculates the number of men, the period of the voyage going and coming, and each man is allowed one Shing and a half of rice per diem, and beyond this they are not allowed to take one kernel; the law prohibiting it being very stringent.

I have examined the Archives and find that in 1845, some mer-

chants desired to export Shanghae small wheat; and on a former occasion, Keung, the now promoted Taoutae addressed the Consul Balfour, to transmit his orders to the merchants to desist from buying and transporting it, which is a matter affecting detrimentally the food of the people, and compared with other kinds of merchandize it is not the same: moreover, he wrote out clearly upon a board this Custom house tarif and suspended it at the new Custom house, and to this day it may there be read and examined: thus truly it is contained in the tarif that it is not permitted to export it, and on examining the free trade regulations I find not only that rice and paddy are imported duty free, but that there exist no law in which it is clearly written that it is permitted to export them. I the Taoutae cannot disregard the tarif and manage altogether at hazard.

It behoveth me I take Kung the former Kaoutaó's proclamation of the tarif and copy it and send it to the Hon: Consul that he may peruse and examine it, and issue his orders to the merchants to desist from buying and transporting /rice and wheat/ in order to conform to the esta=blished tarif. As requisite I make this communication.

Copy of the Proclamation.

Kung, Superintendent of Customs issues his proclamation.

Whereas the tarif of this Custom house contains that "the "grains, rice, paddy, peas and wheat "on the maritime borders of China, "are only permitted in the Chinese "rivers to be bought and transported. "If there be any clandestine "transporting and exporting them "to foreign /parts/ for the keeping "up the supply for traitorous "vagabonds, or scheming for "large profits, men take rice, "paddy &c, and carry it abroad

"and sell it, all with discrimination,
"shall be punished, and their
"junks and Cargo confiscated, &c."

Therefore I issue this proclamation
for the full information of the
merchants of every nation, that
all kinds of Chinese grains,
rice, paddy, peas, and wheat
are not permitted to be taken
on board ships and exported.

Special Edict.

The foregoing commu-
nication is addressed to Jno.
N. A. Griswold Esqre, United
States Consul, Shanghae.

Keëw. Tung, 1st year, 3^d moon, 5th day.
(6th April 1851.)

No 6.

/Translation/

United States Consulate,
Shanghae, 9th April 1851.

Sir.

The Undersigned Consul of the United States, at Shanghae has the honor to make this communication. On a former occasion he received the Hon: Taouтae's despatch and has heard and fully understood the subject of rice and wheat. The undersigned Consul immediately examined and found that heretofore he had not received any despatch from the Taouтae stating that rice and wheat cannot be exported. Now, what is stated in the Hon: Taouтae's despatch is at variance with the Regulations of the 5th Article of his nation's /Treaty/, and the Hon: Taouтae absolutely requiring thus to manage, the undersigned Consul will immediately inform the said merchants that they cannot at present manage /the exportation of rice?/ and must

To/ Wou, Taouтae and acting
Superintendent of Customs
&c, &c, &c.

wait till he clearly represent the case to the Commissioner at Canton, and obtain his answer, pointing out and deciding what shall be done.

The undersigned makes this communication and trust the Taoutae will examine and find accordingly and he / the Consul / will be obliged.

/ signed / Jno. N. A. Griswold

No 7.

(Translation)

Sir, Taoutae of the respective districts of Soochow, Sung-Chow and Tae-tsang-Chow, especially appointed superintendent of the customs of Keang-Nan, and imperially promoted to the rank of provincial judge, has the honor to make this communication.

On the 15th instant, it appears that Ting and others, police men belonging to this Custom house, reported stating that "some of your Hon: nation's merchants "had taken wheat on board their vessels "for exportation &c." I the Taoutae have examined and find that rice and wheat the different kind of Grains, are prohibited from exportation by the Tarif. And on examining the Archives I find that on the 3d month of the present year some merchants belonging to your Hon: nation took on board their vessels wheat and rice and exported them, and already Woo, the former Taoutae made a clear examination of the Custom house tarif as established by the Emperor, and found it clearly contained therein that they are not permitted to be exported, and that the law prohibiting it was very stringent, because the land about Shanghae produces but very little rice and wheat, and the people's daily supply of food, entirely depends upon merchants from other places buying and bring it hither to keep up the supply; moreover it is apprehended, traitorous people will clandestinely transport.

them abroad to keep up the subtlety for pirates, therefore it is necessary and right to prohibit the Exportation. Moreover I have examined the fuh hade regulations and find that although it (the prohibition) is not clearly contained therein, yet already the former Taoutae Kung, since promoted, addressed the British Consul Balfour, to transmit his orders to the merchants to desist from braying and exporting grain, and at that time he took the tariff, which moreover the former Taoutae Kung had published, and copied it and presented it to the Hon: Consul to peruse and examine, and transmit his orders to the merchants to desist from buying and transporting them.- and already, Woo, the former Taoutae has clearly represented the case to His Excellency the Imperial Commissioner, together with the Governor General and Governor (of these provinces) to examine and ascertain the merits of the case, and that subsequently he (Woo) received the Hon: Consul's reply, that he had instructed the Merchants to take the wheat and put it in their warehouses and desist from putting it on board ship- This is on record. Now I find on examination that your Hon: nation's merchants again take the wheat and put it on board ship for exportation, why do they not obey the Hon: Consuls former

orders, purposely turning their backs upon the regulation? As beboveth me, I have examined the Archives, and address the Hon: Consul, and request him to ascertain clearly (why they have not obeyed) and so to manage as to prevent the repetition of the offence, and issue his orders requiring said merchants to discharge the rice from their vessel and desist from buying and transporting it, and moreover I trust he will issue his orders to every merchant that hereafter they cannot buy and export (rice and wheat) in order to conform to the established law, and if they purposely again transgress it, it will be right to deliberate upon some method of fining them, and I request the Hon: Consul with rigor to deliberate and decide the fines (or punishment) and reply to me, and grant that it may be done. A requisite I make this communication.

The foregoing communication is addressed to Hno: N. A. Griswold Esq United States Consul, Shanghae

Hsien-Fung, 1st year, 6th moon, 18th day.
(14th June 1851).

No 8.

(Translation)

United States Consulate.
Shanghae, 30th June 1851.

Sir,

The undersigned Consul of the United States at Shanghae has the honor to make this reply.

Whereas your letter, which has come before the undersigned, states that your Hon: Custom house policemen King and others have reported to you stating that merchants belonging to the United States have taken wheat on board ship for exportation &c. On a former occasion the undersigned Consul with the Taoutae Woo managed this matter and issued orders for them to desist

As to the former Taoutae Kung and the English Consul Balfour issuing orders to desist from the transportations of grain &c, the subject was only known to the two persons Kung the Taoutae and the Consul Balfour, for the Consul Balfour neither communicated with the United States Consul, nor informed

To

Sir, Taoutae, Specially Appointed
Superintendent of Customs
&c, &c, &c,

the United States merchants, upon the subject. Prior to the receipt of the letter of Woo the Taoutae, neither the undersigned nor the different merchants knew of there being such a prohibition: he simply knew very well that the 5th Article of the free trade regulations clearly defined that it was optional with every merchant to buy and export every kind of merchandize, and it had never been suggested to him that rice and wheat were not allowed to be exported. Subsequently, on the receipt of the reply of the Taoutae Woo, and of a copy of the proclamation of Kung, the promoted Taoutae, the undersigned immediately informed every merchant, and ordered them to desist, and moreover took his communication together with a copy of the proclamation and clearly represented the subject to the United States minister to decide what course should be pursued, but just at

this moment he has not received a reply.

Now the Hon: Tautae has received a report from the police men Ting and others, that some of his nation have again taken in wheat, the undersigned apprehends it is to a limited amount, about as much as was formerly stored in the warehouses food, — at this moment his nation has a large number of vessels outside of the port, and those on board ship using wheat, a small quantity is put on board to deal out for food, and not that they are again buying it for transportation.

Now having received your despatch the undersigned will again immediately issue orders to every merchant, that if they require to buy and export (rice and wheat) they must temporarily wait the reply of the minister at Canton how to

manage that they may obey accordingly. If after this any at Shanghae manage to buy and export wheat, you are at liberty to seize and punish them, and the undersigned will not say a word to the contrary. He makes this reply and requests to trouble the Hon: Taoutae to examine and find accordingly and grant it may be done.

(Signed) Hno: N. A. Griswold.

(H.)

Legation of the United States,
Canton, 28th August 1851.

Sir,

The undersigned, Chargé d'affaires ad interim of the United States of America to China, had the honor to receive Your Excellency's communication of the 16th May last relative to a Despatch from Woo, the Taoutae, proposing measures for the guarding the revenue at Shanghae, and at the time, besides acknowledging the same, addressed J. W. A. Isaacs Esq. Consul of the United States at that Port, enclosing Your Excellency's Despatch, and requested him to report thereon, when he would again address Your Excellency.

The undersigned has now received the reply of said Consul in which he states that "on the 10th December last, he received a communication from "the Taoutae relating entirely to the Export of Silks "and Teas, but it did not in any way allude to imports:- and that in his reply he did not dissent from what he proposed, provided it did not prove detrimental to the United States Merchant, that as it regards imports he declined acceding to the proposal that the manifests of the United States vessels should specify marks, numbers, shippers and Consignees of Goods and be open to Public inspection at the Consulate

To

H. E. Sen, Imperial High Commissioner

&c. &c. &c.

and Custom house, as he deemed such publicity useless to the end in view, but offered that the manifests should specify the number of packages separately, containing particular description of Goods, and number of pieces which should be open to the Public and remain to be verified by the Chinese custom house officers when landed, they being entitled to seize any Goods in excess of the manifest - that as matters now stand he could see no remedy for smuggling except in an efficient custom house staff to take account of the Goods as landed and shipped which have never yet been done - the whole establishment consisting of a few worthless individuals, who until lately have paid no attention to their duties.

That he had repeatedly urged the Taoutae to obtain a larger number and more efficient custom house officers, and assured him of his readiness to afford every facility for the proper examination of the Goods; - he had suggested to him that he might place an officer on board each vessel as she arrives whose duty should be to take an account of all Goods as landed or shipped, but his reply was that the Government allowance is not sufficient to pay the requisite number or secure the services of officers,

who would not be open to bribery, &c.

This coming before the undersigned Chargé – he has examined and finds that the Consul of the United States at Shanghae possesses no disposition to countenance smuggling, but on the contrary, to cooperate with the Chinese Authorities to put an end to the evil of clandestinely defrauding the revenue, which of late has been carried on upon a large scale at that port; – and the undersigned takes this opportunity to assure Your Excellency, the Government of the United States guards with great vigilance its own revenue and is far from approving of their citizen's defrauding that of another Government, and therefore the Treaty between China and the United States contains several articles for the prohibition of frauds on the revenue – The 9th Article provides that "whenever Merchant vessels belonging to the United "States shall have entered port, the Superintendent "will, if he see fit, appoint Custom house officers "to guard said vessels, who may live on board "the ship or their own boats at their convenience."

The 10th Article provides that a true report of the Cargo on board shall be communicated to the Superintendent of Customs &c – and by the 11th Article "the superintendent of Customs in order

"to the collection of the proper duties, will, on application
"made to him through the Consul, appoint suitable
"officers, who shall proceed in the presence of
"Captain, Supercargo, or Consignee, to make a
"just and fair examination of all goods in the
"act of being discharged for importation
"or laden for exportation on board any merchant
"vessel of the United States, &c."

The 20th Article provides that fraud detected
on the revenue, may be punished by forfeiture or
Confiscation of the goods to the Chinese Govern-
ment. The undersigned, therefore, considers
that in any case of fraud on the revenue,
whether in imports or Exports, the fraud being
clearly proven, it will be in accordance with the
usages of nations that the goods be confiscated, which is most just

Henceforth then let the Treaty be firmly adhered
to,- let there be a competent number of suitable
Custom house officers appointed, and the revenue
officers and Foreign Consuls unitedly, and in
good faith, discharge their respective duties,
and the evil complained of will cease to exist.

The undersigned avails himself of the
occasion to renew to Your Excellency the assurance
of his high regards, and has the honor to remain, Sir,

Your Obedt. Servant

Peter Parker

(L. S.)

(5.)

Yew, Imperial Commissioner &c, &c, &c, and Jiê, Governor of Canton &c, &c, &c, have the honor to acknowledge the receipt on the 30th ultimo, of the Hon: acting Commissioner's dispatch / of the 28th Ultimo / and have perused and fully understood all that had been represented by the United States Consul at Shanghae as stated therein. As to the different articles of the treaty you have quoted, they are in entire conformity to the Treaty. We have examined and find that the smuggling of Goods is a matter which affects the revenue, and it is manifestly right rigorously and closely to watch and guard against it. Truly, as stated in your Dispatch "Fraud on the revenue "being clearly proven it is in accordance "with the laws of all nations that the "goods be confiscated, &c." This reasoning is most just and right and sufficiently evinces that the Hon: Acting Commissioner possesses a clear perception and lucidly discriminates affairs.

Hereafter it will be in every respect right for both parties, that we each maintain a rigorous and close surveilance;— on the one hand the revenue officers appointing men of unquestionable honesty, and on the other the merchants of the United States and of every nation, also as behoves them, managing in conformity to truth, and not allowing men to play tricks upon them as stupid, deluding them with their false addresses.

We make this reply and avail ourselves of the occasion to present you

the compliments of the season &c.-

The foregoing communication is addressed to Peter Parker, Chargé d'affaires, ad interim, of the United States of America to China.

Hsien Fung, 9th year, 8th moon, 17th day.
(12th September 1851)-

(J.)

Legation of the United States,
Canton, 9th September, 1857.

Sir,

The undersigned Chargé d'affaires, ad interim, of the United States of America to China, had the honor to receive in due course Your Excellency's despatch of the 6th May relative to the subject of the Exportation of rice at the port of Shanghae, subsequently to which he has received copies of all the correspondence relating thereto between the United States Consul and the Shanghae local authorities. From a careful perusal of this correspondence it appears that, on the one hand, Woo, the Taoutae has contended that by the tariff imperially ratified in the reign of Kang-he the exportation of grain is prohibited, and furthermore that foreign rice and wheat are imported free of duty with a view to keep up a supply of food for the people, from which it may be understood that Chinese rice is not allowed to

To H.E. Yeh,
Imperial High Commissioner
&c. &c. &c.

be exported, &c. On the other hand, Mr. Griswold the Consul of the United States has insisted that by the 5th Article of the Treaty, citizens of the United States are at liberty to buy and export every kind of merchandize, and that whilst Gold, Silver, Saltpetre, and Sulphur are contraband, the exportation of rice is not at all prohibited by the Treaty. Moreover, that rice is exported but incidentally, and not with a view of obtaining a livelihood; that it is apprehended that it will not be carried to any great extent; and the exportation will take place only when the crops are abundant, and that it is advantageous to the farmer to be allowed to sell for exportation his surplus grain, &c.

This subject coming before the undersigned he has given it mature consideration, and admits the force of the argument that the bonus upon foreign rice by exempting it from paying import duty, rather implies that it is not contemplated by the Chinese Government, that rice and other grains produced in the Country should be exported. As it is the prerogative of all nations to regulate according to their own views of

expediency the food of the people, if your Hon: Government insists upon the non exportation of Chinese grains, the undersigned does not entertain a doubt but that the Government of the United States will cordially acquiesce therein.

The undersigned however begs to suggest for your Excellency's consideration that the experience of Western nations is becoming more and more in favor of the principles of free trade, and ceteris paribus, the food of the people is cheapest where there are no restrictions upon its importation or exportation. The traffic in grains will be regulated by the supply and demand. For example Chinese rice will not be exported unless it be cheaper than in other countries and to be cheaper it must be abundant:- when scarce it is dear and foreign rice will immediately be brought to this market, and there is no danger to the food of the people, by leaving the trade in it to regulate itself. In the proclamation of the former Taoutae King, which originally refers to Chinese and not to foreigners, one reason

assigned for the prohibition of the Exportation of Grains by the Chinese, was an apprehension that it might go to the keeping up the supply of food for Pirates, but no such objection can be raised to its exportation in vessels of the United States.

The undersigned respectfully requests Your Excly. to give this subject mature consideration and inform him of the results, and he will be most happy to find that his views and those of Your Excy. upon the subject of free trade coincide; nevertheless should they differ and Your Excy. informs him that it is still the wish of the Imperial Government to prohibit the exportation of Chinese Bread Stuffs, he will immediately refer the subject to the decision of the United States Government, and in the meantime call upon the United States Consuls to issue instructions to the American Merchants in China to desist from the exportation of rice, wheat and other grains.

The undersigned avails himself of the occasion to renew to Your Excellency his high regards, and has the honor to remain

Sir, Your Excellency's
Very Obedient Servant,
Peter Parker

(L.S.)

(H.)

Legation of the United States,
Canton, 22d September 1851.

Sir,

Your Dispatch of 28th June, with its Chinese enclosures Nos 1 to 8 inclusive, has been duly received, and the said Documents having been translated, copies of the translations are herewith transmitted.

Enclosed is a copy of my Dispatch, of 28th Aug. to the Imperial Commissioner relative to the revenue, and also of the joint reply thereto, of the 12th Inst, of His Excellency Yeu, and Yé the Governor of Canton, to which your attention is called. Upon this subject suffice it to say the Treaty provides an ample remedy for the evil of which the Taoutae complained, and while this is the case it is inexpedient, under any circumstances, to set it aside to substitute other measures.

From your public notice of the 26th July published in the North of China Herald of 2d of Aug, and from other sources, it appears that you have determined on levying a fee of $ 25 for all amendments of manifests, and in case when a complaint is first entered by the Chinese Authorities, leading to the necessity of

Jno. N. Bleak Griswold Esq.
United States Consul,
Shanghae.

formal investigation a fee of $150 will be levied upon the Consignees, should the facts show that the charge has arisen from their carelessness or inadvertance. This has been denominated illegal and an excess of Consular power, and given rise to secret complaint and dissatisfaction, on the part of Citizens of the United States.

The General instructions to Consuls and Commercial Agents of the United States as issued at Washington in 1838 (vide Chap. VIII, Sec. I) do not authorize such fees, and when through inadvertance a Consignee is innocently under the necessity of applying for the Consuls intervention such fees are manifestly unjust.

If I rightly apprehend the true state of the case, the source of annoyance in amending manifests is that there is deliberate fraud with a view to evade more or less of the lawful duties, and the legal and just ~~prevention~~ preventive is not to lead official aid, under any consideration whatever to screen the offender, but upon unequivocal proof of fraud, to let the goods in excess of the manifest be forfeited.

A public notification that such will be the course of proceedure at the Consulate will secure that general accuracy in manifests which will supercede any frequent

necessity of amending them, and will not be open to objections as illegal or oppressive. You will therefore please to retract your notice of the 26th July and call attention to the provisions of the Treaty in cases of fraud upon the revenue, whether through false manifests or otherwise, and that these provisions will be strictly enforced.

A copy of my communication of the 9th inst., to the Vice Roy, upon the subject of grains is also enclosed and on the receipt of His Excellency's answer I will address you again. In your communication of 20th June /st. 8/ to the Taoutae Lin, you express the apprehension that it is a trifling matter which has given rise to the report made to him of the renewed exportation of Chinese grain, which by previous arrangement was in abeyance. You are requested to inform me whether in the month of June or July last there was an American vessel that laded exclusively, or in part, with Chinese grains either at Shanghae or Woosung, and if so the name of said vessel.

In the conclusion of the last named paper your translator has represented you as stating "If after "this any at Shanghae manage to buy "and export wheat /or barley as the "original may be rendered/ you /the Taoutae/ "are at liberty to seize and punish "them and the undersigned will not

"say a word to the contrary." This would be yielding to the Chinese a jurisdiction over citizens of the United States which by Treaty is especially reserved to their own Government. Your attention is called to the subject presuming that the translator must have misapprehended you. The want of suitable interpreters is much to be regretted and the expediency of affording means for procuring them for the respective Consulates in China deserves the consideration of our Government.

I remain,
Sir, respectfully,
Your Obedient Servant,

Peter Parker

(L.) Canton, 22d September 1851.

Dear Sir,

There are a few points in the style of the Chinese of your correspondence with the Taoutae to which I would invite your attention, as it may be of service to your translator in future, and prefer to do so by a semi-official letter.

It is now a long time since seeing the foreigner "prostrate," or "prostrate on the face," in Chinese correspondence. This used to be the style, but it is to be hoped that it will be so no longer, and I am confident you are the last man knowingly to revive it.—[vide № 2].—The phrase Pe Shăng 敝商 "my humble merchants" constantly occurs in the translations. Pun Kwo Shăng 本國商 "my nation's merchants" or as it is correctly translatable "the merchants of the United States" occurring in

Jno: N. Abeel Griswold Esq.
&c, &c, &c.
Shanghae

your official papers would in every
sense be preferable. In your
Dispatch No 8 Han 函 a private
letter is several times used instead
of Chao Hsiang 照會 an official
communication between equals
which is the proper one. I would
suggest the propriety of adhering
to the characters for "United
States of America" adopted
in the Treaty, for I perceive
in the correspondence of the
different Consulates constant
deviations. Sometimes it is Mei
Kuo 美國 sweet, elegant or beautiful
nation - as in the communication
of Woo Ts'ung - In other instances
- it is Mei Kuo 米國 the Rice Nation.
In both these phrases the character
mei or mi 美米 is used for its sound
and not its sense, and is an
abreviation of Mei li Kien for
American, yet their meaning
will occur to the mind and
is sufficiently objectionable.

By your title in Chinese
you are "Specially selected to

Superintend the affairs of Consul
of the United States at Shanghae;
whereas you are abbointed Consul
and by as high authority as any
Chinese Superintendent of Customs,
and they are generally (except when
merely acting) designated Kin-Ming
欽命 and the Consuls abbointed
by the President of the United
States should also be Kin-Ming 欽命
Your title in full should be
written 亜美理駕合衆國欽命駐上海領事官祁

Trusting that you will not
regard the above observations as
undeserving of attention,

I remain, Dear Sir,
Your's ever Sincerely,

Peter Parker

(Copied from the North of China Herald 2d Aug.)

(M.)

United States Consulate,
Shanghai, 26th July, 1851.

Arising from the inattention of Consignees of vessels under the United States flag when making their entries and clearances; several complaints have of late been made by the Chinese Authorities, which lead to frequent amendments of Manifests, and have been the cause of much trouble and loss of time to the undersigned, in explaining to, and convincing His Excellency the Taoutae that the errors arise rather from inadvertence, than from an intention to Smuggle. With the view therefore of correcting this inattention, the undersigned now gives notice that a fee of 25 dollars will be charged hereafter for all amendments to Manifests, after the original papers have been sent in to the Authorities.

In case when a complaint is first entered by the Chinese Authorities, leading to the necessity of a formal investigation a fee of 150 dollars will be levied upon the Consignees, should the facts show that the charge has arisen from their carelessness or inadvertence; and on the other hand, arrangements have been made with His Excellency the Taoutae for the punishment of the Custom house Officers, should they enter frivolous,

or unfounded accusations. When smuggling is proved, the property will of course be liable to confiscation, and the ship to a fine in accordance with the Treaty.

The attention of Consignees is called to the necessity of adopting the forms circulated on the 6th inst July 1850, for Manifests, and the inward one must specify separately the number of packages of each kind of goods, as also those containing a particular number of pieces.

His Excellency the Taotai has lately complained that merchants do not pay attention to the regulation prohibiting the landing and shipment of goods between the hour of sunset and sunrise.

In reply I have stated to him that any goods from United States' vessels found in transit after sunset are liable to seizure and confiscation, and if he proceed to inflict that penalty I should not interfere.

Jno: A. Alcock Griswold,
U. S. Consul.

To Citizens of United States
and Foreign Residents.

(No. V.)

Cheng, acting Prefect, &c. &c. &c. issues this luminous Proclamation.

Whereas the Prefect's Station is for the collection of duties which concern the revenue of the Government, hitherto the merchants of every province, who purchase and transport Black and Green Teas to Canton have paid duties at the Tae Ping Custom house (in Shaou-Chow fu, in this province and some 200 miles from Canton - Tr.) and on their arrival at this city it is requisite that they first take the Tae Ping Custom house sealed manifest and repair to the Prefect's Station and report it for examination and the cancelling the Chops, and if on investigation it appears that there is no Cargo evading the duty, they are then permitted to land the Teas and store them in their shops. The notice originally was to put a stop to the evil of concealing the duties, and in no way differs from the mode of management in past times. Moreover, on a former occasion, the now promoted Prefect, issued his proclamation (to the same effect) which is on record, still recently merchants have bought and transported green and Black Teas,

and after all have dared deliberately to turn their back upon the hitherto existing regulations, and without taking the sealed Manifest and repairing to any station to report it and have it cancelled, have presumed to land their Teas and place them in warehouses and there exists no <u>data</u> by which to examine and ascertain whether or not there be any other sort of Cargo brought and transported on board their boats, which ought to pay duty, and it is difficult to secure that there is not the evil of clandestinely defrauding the revenue, which is trifling in a high degree with the regulation. Besides directing the police rigorously to examine into the subject I again, as is right, issue a clear proclamation, and issue this Edict to the Merchants for their full information.

You must henceforth, in buying and transporting Black and Green Teas to this province, absolutely conform to the hitherto existing regulations, and first take the Tae Sing Custom house sealed manifest and retair to the Prefect's Station and report clearly, and wait for it to be examined.

and the slips cancelled, and afterwards take the Teas and transfer them to the warehouses. If you dare designedly to turn the back upon the regulations and do not conformably thereto present (the manifest) to be cancelled, once having ascertained that there are smuggled Goods, positively, you shall be punished with rigor and to the utmost, and absolutely there will be no indulgence. Each of you, as is fit, implicitly obey, Let there be no opposition.

Special Edict.

Heen Fung. 1st year, 7th moon, 21st day.
(17th August 1851).

To be carefully hoisted up in front of the Consoo.

(O.)

Legation of the United States,
Canton, 12th September, 1857.

Sir,

It has been announced through the medium of the local journals that you have been appointed Vice Consul of the United States at Foo chow foo. [Vide China Mail, 7th Aug.]-

As no notice of such appoint-ment has reached this Legation either from the State Depart-ment or from yourself, I am left in doubt as to the correctness or otherwise, of the report. It is in accordance with usage when a Consular officer in this country is appointed by the Government of the United States to give notice thereof to the Government of China through the Legation.

Possibly the letter from the Hon: Secretary of State, which you

To

Revd. I. Calder,
Foo chow foo.

stated, when in Canton, you had left at Hongkong, may have referred to the above appointment. You are requested if holding paid office, to communicate the fact to this Legation without delay.

I am, Sir, Respectfully,
Your Obedient Servant,

Peter Parker

No 31.

United States Consulate, Amoy.

23d June, 1851.

Sir,

I have the honour to acknowledge receipt of your despatch of 24th April, covering translations of two official documents, (No 6. No 7.) relating to the case committed to you for adjustment in my letter No 27.

Agreeable to your request for my comments on these reports, I give the same in an Appendix, sent herewith, and ask for it your careful attention.

I am, Sir,

With profound regard,

Your Obedient Servant,

(signed) Charles William Bradley.

The Hon. & Revd D. Parker,

Chargé d'Affaires at interim, &c.

Appendix to Despatch No. 31

TEXT.

"On the 30th Nov. last Yang Chaou Nien, a teacher of the district of Sen Pan, petitioned me representing that he had been beaten and wounded by Shen Gui a subject of China (1) whereupon I instantly delivered the case over to Sen. Japan, acting Haifang of Amoy, to examine his wounds, & to bring up the parties to judge them) - at which time it appears Bradley, the Amer. Consul, employing red card paper (2) wrote out the circumstances of the case & implored me, requesting me, to arrest the man & manage the case; (3) and as his note was not a sealed official communication, (4) & because it was impracticable at once to make up a dispatch, I did not write a letter but immediately returned an answer upon a card (5). - Afterwards it appears that Bradley desired me to take Shen Gui & instantly arrest & punish him (6). - Again & for a third time I issued my orders to the Haifang urging him to delay to bring him to trial, - but Shen Gui having gone to Changchow to buy Goods, there was delay in bringing him to Court (7) but there was no breaking of engagements (8)

X X X X

The remaining two charges are affairs between the Consul & the acting Haifang, Sen, (9) & in due course I transmitted them to him, & directed him to report thereon. Here it appears he has reported, stating he had made investigations of the case in which Yang Chaou Nien, who had brought upon credit some bracelets of Shen Gui's among his pay demanded his due when a quarrel in which blows were given, took place (10) & I was obliged to open & deliver the case over to my office to bring up the parties for trial, - & I examined & found the wounds of Yang Chaou Nien were exceeding light, (11) & which I made out a memoranda & placed it upon record & directed the police to bring up the parties to judge them & decide the case, at which time it appears Bradley sent a man to my office, who said that Yang Chaou Nien was a teacher in the employ of his (Bradley's) countryman & had been beaten & wounded by Shen Gui, & demanded that Shen Gui should instantly be sent to the Consulate for examination; but in as much as litigation between subjects of China ought to be tryed & decided by the local authorities & as there has never been such a doctrine as that of sending & delivering them over to a foreign Consul for examination (12) & therefore

REMARKS.

(1.) Yangchow Mun denies that he "petitioned" the Tautai, but admits that he showed his wounds to that Magistrate, after he knew that a process against his assailant had been commenced.

(2) As the Hon. Chargé has particularly called the Consul's attention to the Tautai's statement that "red card paper" was employed in "writing out the circumstances of the case" the fact is admitted. It was however cut, folded, enveloped as a letter, & the Consul's card was enclosed in it.

(3) How the Consul is represented as requesting the Tautai "to arrest the man & manage the case" while (omission) the Haifang reports that the former demanded that Shen Gui should instantly be sent to the Consulate for exa-

(4) See letter to the Tautai marked [B] of which the Legation has a true copy. It declares itself to be "an official communication." Moreover, this letter was officially sealed on the face of it, as envelope which contained it; viz: as the triple sealing of the last that called forth the Haifang's rebuke on the 5th Dec. - See No. 27, under that date.

(5) The card bore and only the Tautai's Name. The answer, - a full promise to comply with the Consul's request - was given orally, by the Tautai's Messenger.

(6) See Note 3 ante & infra. This refers to the 2d letter to the Tautai, - marked [D].

(7) This was on 3d Nov. - How can the Tautai reconcile this statement with that of the Haifang who says "upon the 1st Dec. last they brought Shen Gui to Court, &c." - See also No. 27, [E].

(8) Through the messenger the Tautai herein promised to send the accused for examination back on 30th Nov. for 2d Dec. - or 3d Dec. for the next day; - failing to do which, "there was a breaking of Engagements."

(9) According to justice & usage the Tautai, as the Superior officer, is held answerable for the acts of his inferior, - the Haifang. (See [DE]).

(10) This statement is altogether false. Yang Chaou Nien had neither brought nor received any bracelets of Shen Gui. - Nor was there a word said upon the subject at this meeting (the minutes of testimony - [I] [J]). - There was no "quarrel"! it was an assault on the part of Shen Gui, and by him alone the "blows were given."

(11) The Consul also "examined" & found the wounds of Yang Chaou Nien were exceeding" by severe, especially, a deep cut, which he received a little above the right femoral bone, - which for several days threatened serious consequences.

(12) Whatever may have been the "doctrine" in such cases the uniform practice has been such

replied that I would arraign the parties and investigate the case at my court and report to him the result. On pressing the police to all due diligence, they reported that Shortly, after the quarrel with Yang Ah-hsien, went to Shanghai to purchase goods, and requested me to write that they might with all despatch go after him & bring him up.

Upon the 1st of Dec.r last they brought Shortly to Court, & under restraint led him to Bradley's office, to confront him with Yang-Ah-hsien Ncca, (13) when the said Consul Bradley stated he understood that he should be brought on Sale, (14) requested him to be taken back, at which time Precious his bail to appear for trial. On account of not understanding the Chinese & foreign languages thoroughly, I apprehended there might be error in interpreting, & on the 3d Dec.r saw Bradley in person, & informed him of the circumstances of the case (15) At that time the Inquisit performed his part fairly & changed no expressions, & thus our words were preserved - (16) & having defended him, I in words reprimanded him; but there was no angry expression towards the Consul (17) Subsequently to this, in consequence of Yang Ah-hsien not appearing though several times summoned, the case has not yet been disposed of. x x x x

No bribe there have been no bribe paid, (18) & certainly should not receive any, giving Foreigners just occasion to speak against me, & that the original accusation, seeing it is impracticable to print out the true amount of bribes, there not being any reliable testimony, as a final imputation, requires no argument.

as the Consul claimed. It was granted him promptly & without objection in the case of Doty & Ah Kwei, (John. 28. 1850) when the defendant was charged with having by force & violence attempted to commit a rape on the body of Yang, a servant-woman of the complainant. It was twice promised (without a question as to his right to demand it) in the present instance, — and according to their own showing, Shortsee was actually brought to the Consulate for examination, within 24 hours after it was requested. The Consul first brought the subject to the notice of the Taotai on 30th Nov.r at 4 o'clock P.M., — & as the next day, (Dec.r 1) was Sunday he requested that the accused should be sent to him for examination on Monday Dec.r 2d at 3 o'clk P.M. And although it is repeatedly said that Shortsee had gone to Shanghai to buy goods," & that consequently "there was delay in bringing him to Court," — yet, in the very next paragraph he is represented as under arrest & taken to the Consulate for examination on the 1st Dec.r It should be added that the practice requiring the appearance of Chinese subjects (when accused by Foreigners) before a court of enquiry, is common to all the Consular establishments at this port, and the native authorities have always allowed it without the least objection.

(13). The word "confront" necessarily implies all that the Consul asked & it does not mean this, he is unable to ascertain in what sense it should be taken (See Crabb's Synonyms, Sub voce.)

(14) How could the Consul complain of Tardiness on the part of the acting Hsienfang, when according to the Hsienfang's own showing it was a day earlier than was asked

(15) The acting Hsienfang called on the Consul Dec.r 3d at 2½ P.M., & excused himself for not sending Shortsee on the preceding day, by saying that the said Shortsee had absconded & could not then be found - but that as soon as he could be taken he should be sent for the required examination.

(16) There is no reason to believe that the acting Inquisit performed his part badly by changing expressions & perverting words.

(17) The Consul reiterates his declaration of "angry expressions" used towards him by the acting Hsienfang, as well as sundry acts of intentional insult

(18) The principal witness from whom it was expected to prove the bribery died almost after the Consul's return from Canton, last winter. There are others who profess to know the fact — but who would refuse to testify to it against an influential man, — who would have both the means & the will to do such witnesses much harm: — Therefore this allegation though firmly believed to be true is not insisted on Before withdrawing it however the Consul protests against the ungentlemanly language of the Report, in calling it a "final imputation".

The Consul respectfully asks a careful reference to his Despatch No 27, and the accompanying papers, as containing abundant evidence of the general Untruthfulness & misrepresentations of the Taotai's Report.

(signed) Charles William Bradley
U. S. Consul, Amoy

23d June 1851.

No 36

United States Consulate,
Amoy, 16th August, 1851.

Sir,

Since addressing the Legation on the 14th Inst, I have received your despatch of the 25th July, acknowledging receipt of my communications Nos 31 and 32.

As soon as my arrangements for embarking are made, I will without delay notify you thereof; and as it is probable that I shall sail from Canton for the United States, I should be glad to be honoured with such despatches as the Honourable Chargé may have occasion to transmit to the home Government.

With the profoundest respect,

I am, Sir,

Your most Obedient Servt.

(signed) Charles William Bradley

The Hon: & Revd Dr Parker

Chargé d'Affaires ad interim.

State Recd 21. Octr. Mr A. H. Derrick

Oct 26.

New York Oct 20. 1857

Millard Fillmore

President of the

United States of America

Dear Sir

Your favor of the 14th inst was not received, until this morning, owing to my absence at Syracuse & Rochester.

I am deeply impressed with this mark of your confidence & shall endeavour, if practicable to arrange my private affairs, so as to enable me to depart on the mission to China as soon as may be required.

In order that I may form some opinion as to the time that can be devoted to that object, may I ask of you the favor to let me know the wishes of the government, both as to the mode of conveyance & the time of departure

I am very truly

& respectfully yours

J. Hunt

Recd 12th Decr Mr Derrick.

New York Dec 10. 1851

Hon Danl Webster
Secy of State
Washington

D Sir

I had not supposed after our conversation in relation to the actual necessity of an outfit for the mission to China, that any official notice of my resignation of that appointment was required.

Having been reminded by your favor of the 6th inst that the department wishes official information of the fact, I beg leave to state, that it is impracticable for me to proceed on the mission without an outfit & I must consequently place the office at the disposal of the executive.

With much respect
I am truly & respy yours

J Blunt

Recd Dec 15th

Mr A H Perrick

Legation of the United States,

No 21. Canton, 26th September 1851.

Hon: Danl Webster,

Secretary of State.

Sir,

Since the date of my last Despatch, I have received from C. W. Bradley Esqr the report of the Chinese agent sent to Formosa, which, with other communications from the Consulate at Amoy, I have now the honor of transmitting you (vide enclos: Nos 1, 2, 3, 4, & 5).

Mr Bradley has prosecuted this object, at Amoy, in a manner worthy the occasion: and I am persuaded not one Chinese in a hundred could be found to perform a like mission with the Zeal, tact, and perseverance, which have been displayed by Co-sian, who, having with difficulty escaped alive from Ship wreck, encountered other perils and hardships,

vide his report № 3.

The present is one of those instances in which the propriety of a measure is evinced by the result. The warrant produced by the Military officer on the very day of Po-Sian's landing upon Formosa, and the summoning to the Capital, the Chinese who aided in the escape of the Carpents' men, show how little might have been effected here by communicating <u>in limine</u>, with the Chinese Government. That there are no foreigners on the Western part of Formosa is a fact pretty well established. The wreck of no less than seven foreign vessels on the Coast of Formosa, and adjacent islands, within three or four years, is acknowledged by the inhabitants, and one of these occurred upon the <u>East</u> Coast, and two upon the <u>Pescadores</u>, which require further investigation. &c

intimated in a former Despatch I shall call the attention of Commodore Schlick (to the subject) immediately on his arrival.

That the barbarous tribes on the South should receive the early attention of those Governments whose merchantmen are constantly liable to fall into their murderous hands, admits no doubt. Within the last six weeks there has been a succession of terrific storms on this Coast, and in the China seas, and like catastrophes to that of the "Serpent" may have been repeated

---

There now remains but little doubt that the Spanish Brig Brillante which left Hongkong for Manila on the 10th inst. July has been put off by pirates and scuttled not far from port. She is said to have had some eight and twenty thousand Dollars

worth of Treasure on board.

The report has just reached Canton that H. E. Sew, Lieutenant Governor of the province of Fuh Keen, the distinguished author of a Chinese Geography, of which you probably have seen notices, had been degraded by the Emperor. A new manifestation of the same spirit and policy to which Mŭh Chongah and Keying owed their utter downfall.

From the Peking Gazette I learn the Imperial troops from remote provinces are concentrating around Kwang-se, some of them have passed up the river by the Factories within the last week and before another mail new light may be thrown upon the proceeds of the "King of celestial Virtue" and his rebel army.

With sentiments of distinguished Consideration, I have the honor to remain,

Sir, Your very Obed. Servt.

Peter Parker

No. 35 No. 1 Copy. With No. 21

United States Consulate, Amoy,

14th August, 1851.

Sir,

I have now to advise you that in conformity with the instructions containing in your despatch of the 7th July, I have fully carried out your views in relation to the confidential agent for visiting the island of Formosa. The said agent, Bowian, sailed for the port of Seang-liang, on the morning of the first instant, furnished with general letters in English, Dutch, Spanish & French, — the three latter being of precisely the same tenor with that marked [B] in the appendix to my letter No 33, of the 25th ultimo — I may add, that having availed myself of the information possessed by the civil & naval officers of Her Britannic Majesty's to investigated in situ the facts relating to the wreck, &c. of the "Larpent," and kindly communicated them to me, — having given the matter my best consideration, — and confiding firmly in the zeal and faithfulness of the messenger, I believe nothing has been left undone to insure a successful result, if there be a single American or European in captivity between the Northern and Southern points on the Western half of the island.

Information of the finding of any Shipwrecked Christian will be communicated

to me without delay, and the facts in the case shall be instantly transmitted to the Legation.

I shall retain it as a particular favour to receive the Honourable Chargé's reply to my official letter No. 32 (27th June) and 33 (25th July) at the earliest moment practicable

I have the honour to be, Sir,
With the highest respect,
Your Obedient Servant,
(signed) Charles William Bradley

The Hon.ble Rev.d Peter Parker, M. D.
Chargé d'Affaires ad interim &c &c &c

No. 2.

Legation of the United States,
Canton, 13th September, 1851.

Sir,

Your despatches Nos 35 and 36 bearing dates of the 11th and 16th ults: have been duly received, and your judicious, prompt and energetic measures for prosecuting search for shipwrecked fellow citizens, or others foreigners, on the island of Formosa deserve the highest commendation. Referring to your despatch No. 33 / 25th July / you are hereby authorized to draw on me at your convenience the sum you have advanced for the prosecution of the specified object. The result of the mission of Ou-Leang to Formosa is anticipated with much interest.

I take this opportunity of mentioning, that the Imperial Commissioner being absent from this city further action upon

To

Charles Wm Bradley, L. L. D.
U. S. Consul
Amoy.

the subject of your Dispatch No 81 [23d June] will be postponed for the present.

I will thank you to transmit the enclosed to Mr Calder at Tow chow foo, and shall have much pleasure in availing myself of your polite offer to take charge of any Dispatch to the Government at Washington.

I am, Sir, respectfully,
Your Obedient Servant,

Peter Parker

No 37. No. 9. Copy.

United States Consulate,
Amoy, 6th September, 1851.

Sir,

Under date of 25th July I informed you that I had appointed Ossian to proceed to Taiwan as a special agent, for the performance of the duty required by your despatch of the 7th of the same month. I have now the honor to advise you that the omission has been accomplished by him, and to lay before you a translation of his

Report.

"I sailed from Amoy on the 12th day of the 7th moon, (= Aug. 8,) and arrived off the mouth of the Tung-kiang on the evening of the 15th day, where we anchored At midnight a typhoon commenced with unusual severity, and on the following noon, in company with three other junks, we were totally wrecked, with great loss of life and of all our lading and luggage. After having been exposed to imminent peril for about twelve hours I providentially escaped upon a small raft and reached the shore, saving nothing but the clothes that were on me. My effects consisted of $30 Spanish, - the value of $15 in medicines, - and $7 to 10 worth of personal clothing; - the medicines having been procured for the ostensible purpose of trafficking in them, - so as to avert suspicion of

The Hon: & Revd Peter Parker D.D.,
Chargé d' Affaires, ad interim,
&c, &c.

the real object of my coming. I remained one day at the village of Tung-kiang, to get a suit of clothes made; and whilst here was waited on by a military Officer, who informed me that he had orders to arrest any foreigner, or any Chinese subject employed by foreigners, who might land on that Coast;- showing me at the same time his warrant therefor, and saying that he was fully aware that I was of the latter class thus interdicted. He dismissed me, however, with a caution to be careful as to the nature of my communications with the inhabitants.

From Tung-kiang I went to Lai-liau, the residence of Ban chiang, a person of much wealth and influence in this region, and the principal agent in effecting the late rescue of a portion of the Larpent's crew, deeming it important to confer with him on the subject previous to my adopting a definite plan of research. At an interview which I had with him he spoke of the improbability that any foreigners were then in captivity in the Southern part of the island, since the liberal reward which had lately been given by the British Government for the manumission of such was widely known, and would surely have brought them to light, for the sake of further reward.- besides which he declared that he was

intimately acquainted with the whole region of the South, including its interior, and if such captives were there he could scarcely fail of knowing the fact. He further informed me that the suspicions of the Mandarins of Fung shan district had been awakened by the recent visit of H. B. M. Str. Salamander, and that they had sent police officers to apprehend the persons concerned in liberating the Sarpents men; also, that he had himself been summoned to appear at Taiwan fow, to answer for his part in the matter, which, however, he had refused to do. The other individuals spoken of had succeeded in bribing the police, and were thus allowed to escape. ——

I had heard that Banchiang was the owner of a watch, spy-glass, and sextant, — and on enquiring of him the manner in which he possessed himself of these articles, he replied that they were brought to him by some aborigines, about four years ago, for sale; — that he neither knew their use or their value, — only that they were foreign instruments. He exchanged some goods for them, and while in his possession they were seen by a Mandarin, who, taking a fancy for them, Ban-chiang begged him to accept them, — which the officer did. — Just about the same time that these instruments

were brought to him for sale, an European vessel was wrecked on the very shoal where the Serpent was lost, and he supposes that if any one of its men escaped to the shore they were murdered by the same people who had killed the larger part of the crew of that ill-fated barque. The locality being considered as highly dangerous to the safety of even a Chinese traveller, it was against the remonstrance of Ban-chiang that I proceeded more than a day's journey South-easterly, to the point where these catastrophes had occurred,- hoping to learn new facts there in relation to these and other wrecks,- in which, however, I was not successful. Two or three days before, in the typhoon of which I have spoken, three junks were wrecked at this fearful shoal, and three from their crews were murdered,- the headless body of one of whom I saw lying on the beach.- All these massacres of shipwrecked seamen are committed by a small, but ferocious class of the aborigines, supposed to number sixty or seventy persons only,- who inhabit a woody mountain-bluff, at the foot of which wrecks are frequent, and total destruction of life and property almost certain. These savages are said by the Chinese and by the native tribes to have a passion for acquiring human heads, which was thought by my informers to be more their object than even the possession of booty. — From hence I travelled in a course N.N.E., as I judged, about 200 li, /say 65 miles,/ visiting the Chinese

villages of Lui-chong and Sin-lück, situated just at the base of the mountain-range held by the aborigines, at the distance of 70 lí, or thereabout, from the West Coast. In this interior region I spent three days, - diligently prosecuting my inquiries, but could learn nothing further than that three or four years ago a foreign vessel was wrecked on the eastern shore: of the fate of the crew and property they could tell me nothing. /This item of information I obtained from some aborigines, through an interpreter./

¶ From this place I went two-and-a-half-days journey and reached Tün-kiang village, on the West Coast, 60 lí north of Tai-wan-foo. No intelligence could be gathered here, except that two European vessels were lost in the group of Pang-hu islands, /- Pescadores./ in the 29th year of Táukwang. (1849) ¶ At Pün-kiang, lying on the coast 40 lí further north, this statement was confirmed; and having learned that a certain individual resident at this place, but now absent at the said islands, could give the fullest information possessed concerning wrecks, I took passage thither, and landing at Ma-kün, the principal island, sought him out and found him. This man stated that in the 29th Táukwang, 3d moon, /- 24th March to 22d April, 1849/ near an islet called Kit-pe, lying but a short distance from Ma-kün, the top of a mast of a European vessel was discovered standing out of water. Also, that on the 28th day of the 7th moon, same year, /- 13th September, 1849/ a vessel, /the cargo of

which consisted principally of teas / was wrecked at the same place, [Query "Sarah Trottman"?] — that the crew of this vessel got off in two boats, of which one was driven to the Westward, so that nothing further was known of it, - whilst the other succeeded in reaching Makun, whence they were sent by the Mandarins to Amoy, in a Chinese vessel. — "From this island I embarked for Taiwan-foo, where I in vain sought for additional facts in the matter. After one day I sailed for Amoy, and arrived here on the 9th day of the present moon." (- Sekt. 4.)

I have nothing to add, Sir to the foregoing Report, unless it be the expression of my full belief in the judicious manner, and in the zeal and fidelity with which the Agent has prosecuted his inquiries. In doing so he has encountered great trials and privations; without money, - without needful clothing, - without friends, — a Stranger in an inhospitable land. I beg respectfully to commend his case to your consideration, and am,

Sir

With the highest respect,

Your very obedient Servant,

(signed) Charles William Bradley

No. 4. Copy

No 40

United States Consulate,
Amoy, 14th September, 1861.

Sir,

Herewith I have the honor to transmit to the Legation the Duplicate of an Oath taken and subscribed before me by C. W. Bradley, Jr., Esq. as provisional Judge of a Consular Court in China: it being understood that his appointment thereto is subject to the ratification of the State Department.

I have the honor, to be,
Sir
Your very Obedient Servt.

(signed) Charles William Bradley.

The Hon: & Revd Dr Parker,
Chargé d' Affaires, ad interim,
&c, &c, &c.

No. 5.

I, Charles William Bradley, Jr. Vice-Consul-in-Charge at this Port of Amoy, do solemnly swear that I will administer justice without respect to persons, and will in all things faithfully and impartially discharge all the duties incumbent upon me as Provisional judge of a Consular Court in China, to the best of my ability,- according to the Constitution and laws of the United States.- So help me God.

(signed) C. W. Bradley, Jr.

Sworn to and subscribed before me, at Amoy, this tenth day of September, A. D. 1851.

(signed) Charles William Bradley

Recd 10th Jany Mr Derrick

Legation of the United States,
No. 22. Original. Canton, 27th October, 1851.

Hon: Daniel Webster,
Secretary of State.

Sir,

From the joint communication of Their Excellencies the Imperial Commissioner, and the Governor of Canton, of the 26th ulto: a copy of which I have now the honor to transmit the Department, (Enclosure No. 1), it will be seen that the Chinese Government persist in the wish that Breadstuffs should not be exported, and as stated in my Despatch to the Commissioner upon the subject under date of 9th September, I have acceded to that wish, subject to the decision of the Department; and by circular of the 20th inst:, (No. 2) have addressed the Consuls of the United States in China and called upon them to require the Merchants of the United States at their respective ports, to desist from the Exportation of Grains

the produce

the produce of China. The export trade in Grains from this country is not one of much moment, and in view of all the circumstances of the case, the request of the Chinese may be regarded as reasonable. However, the subject is respectfully submitted for your decision.

Enclosure No 3 is a note addressed Capt. W. D. Walker on the 29th ultº: accompanying a copy of the Report of the agent sent to Formosa, and No 4 is Capt Walker's acknowledgement of the same

On the 11th inst: I received a Dispatch from J. N. A. Griswold Esqre, United States Consul at Shanghae, relative to an illegal seizure of Merchandize in process of unloading from the ship "Panama", a copy of which together with its enclosures No 1 to 4. (Enclosures No. 5) and my reply thereto of the 17th inst:

inst: (No. 6) are herewith enclosed
Mr Griswold assumed a high
tone in his correspondence on the
occasion, and acted with much
decision and energy, but in my
opinion knowing the character of
the Chinese, they were such as
the exigencies of the case demanded
and justified.

Enclosure No. 9 of Mr Griswold's
Despatch is a copy of the New
Custom House Regulations, to which
allusion was made in my last,
and which I am inclined to
regard as superfluous.

I respectfully invite your
attention to the concluding subject
of Mr Griswold's Despatch. How
far justly I will not decide,
but it is a matter of fact that
considerable dissatisfaction has
been expressed at the inactivity
of Government vessels in these waters.

The long expected arrival
of the "Susquehanah", and the
instructions

instructions of Commodore Aulick, to have the vessels, upon this station, at Macao to meet her, has no doubt influenced Capt: Walker in his course the past few months. I advert to this subject only from a sense of duty, trusting that a word from you to the Navy Department upon the subject may not be out of place, although I have every confidence that it will not be overlooked by Commodore Aulick.

On the 24th inst: I had the honor of visiting the "Saratoga" at Whampoa. The health of the ship's company is excellent, the condition of the vessel and the discipline on board of her reflect much credit upon her officers and are worthy the United States Navy.

With Sentiments of distinguished consideration,

I have the honor to remain,

Sir, Respectfully,

Your most Obed: Servt

Peter Parker

No. 1.

Keu, Imperial High Commissioner &c, &c, &c, and Yëe, the Governor of Canton, &c, &c, &c, have the honor to acknowledge the receipt, on the 14th inst, of the Hon: Acting Commissioner's Despatch (of the 9th inst.) which we have perused and fully understand.

We have examined the subject of the non-exportation of rice, and paddy and find that originally it was apprehended that they might go to keep up the supply of food to the pirates in the ocean, therefore for a long period China has prohibited by law the exportation of grains. It is stated in your despatch that no such objection exists to the exportation of grains in vessels of the United States, this (we the Ministers and Governor firmly believe), but seeing it has been prohibited to subjects of China, the trade as it respects foreigners should be placed upon the same footings, and it is right, as proposed in your despatch to transmit your instructions to the merchants of the United States to desist from purchasing and exporting grains.

As requisite we make this reply and avail ourselves of the occasion to present you the Compliments of the Season.

The foregoing Communication is addressed to Peter Parker, Chargé d'affaires, ad interim, of the United States of America to China.

Hëen-Fung, 1st year, Intercalary 8th moon, 2d day.
(26th September 1851.)

Copy No. 2.

Circular

Legation of the United States,
Canton, 20th October 1851.

Sir,

The enclosed Correspondence between this Legation and the Government of China is communicated for your information, and through you for that of the Merchants of the United States at your Port.

By reference to that part of the Correspondence which relates to the Exportation of Grains the Produce of China, you will perceive that the wish of this Government that Rice and other Grains should not be exported, has been acceeded to, pending the decision of the Home Government.

I will therefore thank you to notify the Merchants of the United States accordingly, and require them to desist henceforth from the Exportation of Chinese Grains, unless instructions from the United States Government shall hereafter be given to the contrary.

For your convenience in bringing this subject to the notice of the Commercial Houses, printed copies of the correspondence are enclosed.

I remain, Sir, Respectfully,
Your Obedient Servant,
Peter Parker.

Addressed severally to
Paul S. Forbes Esqre
United States Consul, Canton.
I. A. A. Griswold Esqre
United States Consul, Shanghae
C. W. Bradley Esqre
United States Consul. Amoy.

No. 2.

Correspondence

Between the Legation of the United States of America, and the Government of China, relative to the adoption of measures for guarding the Imperial Revenue, and the non-exportation of Grains, the produce of China.

To H. E. Sü,
Imperial Commissioner, &c.

Legation of the United States,
Canton, 28th August, 1851.

Sir,—The undersigned, Chargé-d'affaires, *ad interim*, of the United States of America to China, had the honor to receive your Excellency's communication of the 16th May last, relative to a dispatch from Wú, the Táutái, proposing measures for guarding the revenue at Shánghái; and at the time, besides acknowledging the same, addressed J. N. A. Griswold, consul of the United States at that port, inclosing your Excellency's dispatch, and requested him to report thereon, when he would again address your Excellency.

The Undersigned has now received the reply of said Consul, in which he states that, "On the 14th Dec. last, he received a communication from the Táutái relating entirely to the export of silks and teas, but it did not in any way allude to imports; and that in his reply he did not dissent from what he proposed, provided it did not prove detrimental to the United States' merchant:—that as it regards imports, he declined acceding to the proposal that the manifests of United States' vessels should specify marks, numbers, shippers, and consignees of goods, and be open to public inspection at the Consulate and custom-house, as he deemed such publicity useless to the end in view, but offered that the manifest should specify the number of packages separately, containing particular description of goods and number of pieces, which should be open to the public, and remain to be verified by the Chinese custom-house officers when landed, they being entitled to seize any goods in excess of the manifest:—that as matters now stand, he could see no remedy for smuggling except in an efficient custom-house staff to take account of the goods as landed and shipped, which has never yet been done, the whole establishment consisting of a few worthless individuals, who until lately have paid no attention to their duties.

"That he had repeatedly urged the Táutái to obtain a larger number and more efficient custom-house officers, and assured him of his readiness to afford every facility for the proper examination of the goods;—he had suggested to him that he might place an officer on board each vessel as she arrives, whose duty should be to take an account of all goods as landed or shipped, but his reply was that the government allowance is not sufficient to pay the requisite number, or secure the services of officers, who would not be open to bribery," &c.

This coming before the undersigned Chargé, he has examined and finds that the Consul of the United States at Shánghái possesses no disposition to countenance smuggling, but on the contrary, to coöperate with the Chinese authorities to put an end to the evil of clandestinely defrauding the revenue, which of late has been carried on upon a large scale at that port;—and the undersigned takes this opportunity to assure your Excellency, that the government of the United States guards with great vigilance its own revenue, and is far from approving of its citizens defrauding that of another government, and therefore the Treaty between China and the United States contains several articles for the prohibition of frauds on the revenue. The IXth Article provides that, "whenever merchant-vessels belonging to the United States shall have entered port, the Superintendent will, if he see fit, appoint custom-house officers to guard said vessels, who may live on board the ship or their own boats at their convenience."

The Xth Article provides that a true report of the cargo on board shall be communicated to the Superintendent of Customs, &c.; and by the XIth Article, "the Superintendent of Customs, in order to the collection of the proper duties, will, on application made to him through the Consul, appoint *suitable officers*, who shall proceed, in the presence of the captain, supercargo, or consignee, to make a just and fair examination of all goods in the act of being discharged for importation, or laden for exportation on board any merchant-vessel of the United States," &c.

The XXth Article provides that fraud detected on the revenue may be punished by forfeiture or confiscation of the goods to the Chinese government. The undersigned, therefore, considers that in any case of fraud on the revenue, whether in *imports* or *exports*, the fraud being clearly proven, it will be in accordance with the usages of nations that the goods be confiscated, which is most just.

Henceforth then let the Treaty be firmly adhered to,—let there be a competent number of suitable custom-house officers appointed, and the revenue officers and foreign Consuls unitedly, and in good faith, discharge their respective duties, and the evil complained of will cease to exist.

The Undersigned avails himself of the occasion to renew to your Excellency the assurance of his high regards, and has the honor to remain,

Sir,

Your obedient servant,

[L. S.] PETER PARKER.

Sü, Imperial Commissioner, &c., &c., and Yeh, Governor of Canton, &c., &c., have the honor to acknowledge the receipt on the 30th ultimo, of the Hon. acting Commissioner's dispatch (of the 28th ultimo), and have perused and fully understand all that had been represented by the United States' Consul at Shanghai as stated therein. As to the different articles of the Treaty you have quoted, they are in entire conformity to the Treaty. We have examined and find that the smuggling of goods is a matter which affects the revenue, and it is manifestly right rigorously and closely to watch and guard against it. Truly, as stated in your dispatch, "fraud on the revenue being clearly proven, it is in accordance with the laws of all nations that the goods be confiscated," &c. This reasoning is most just and right, and sufficiently evinces that the Hon. acting Commissioner possesses a clear perception and lucidly discriminates affairs.

Hereafter, it will be in every respect right for both parties, that we each maintain a rigorous and close surveillance;—on the one hand, the revenue officers appointing men of unquestionable honesty, and on the other the merchants of the United States, and of every nation, also as behoves them, managing in conformity to truth, and not allowing men to play tricks upon them as stupid, deluding them with their false addresses.

We make this reply, and avail ourselves of the occasion to present you the the compliments of the season, &c. The foregoing communication is addressed to Peter Parker, Chargé-d'affaires, *ad interim*, of the United States of America to China.

Hienfung, 1st year, 8th moon, 17th day. (12th September, 1851.)

To H. E. Sü,
Imperial Commissioner, &c.

Legation of the United States,
Canton, 9th September, 1851.

Sir,—The undersigned Chargé d'affaires, *ad interim*, of the United States of America to China, had the honor to receive in due course your Excellency's dispatch of 16th May relative to the subject of the exportation of rice at the port of Shánghái, subsequently to which he has received copies of all the correspondence relating thereto between the United States' Consul and the Shánghái local authorities. From a careful perusal of this correspondence, it appears that, on the one hand, Wú, the Táutái, has contended that by the tariff imperially ratified in the reign of Kanghi, the exportation of grain is prohibited; and furthermore that foreign rice and wheat are imported free of duty with a view to keep up a supply of food for the people, from which it may be understood that Chinese rice is not allowed to be exported, &c. On the other hand, Mr. Griswold, the Consul of the United States, has insisted that by the Vth Article of the Treaty, citizens of the United States are at liberty to buy and export every kind of merchandize, and that whilst gold, silver, saltpetre and sulphur, are contra-and, the exportation of rice is not at all prohibited by the Treaty. Moreover, that rice is exported but bincidentally, and not with a view of obtaining a livelihood; that it is apprehended that it will not be carried away to any great extent; and the exportation will take place only when the crops are abundant, and that it is advantageous to the farmer to be allowed to sell for exportation his surplus grain, &c.

This subject coming before the Undersigned, he has given it mature consideration, and admits the force of the argument that the bonus upon *foreign* rice, by exempting it from paying import duty, rather implies that it is not contemplated by the Chinese government that rice and other grains produced in the country should be exported. As it is the prerogative of all nations to regulate, according to their own view of expediency, the food of the people, if your honorable government insists upon the non-exportation of Chinese grains, the undersigned does not entertain a doubt but that the government of the United States will cordially acquiesce therein.

The Undersigned however begs to suggest for your Excellency's consideration that the experience of western nations is becoming more and more in favor of the principles of free trade, and *cæteris paribus*, the food of the people is cheapest where there are no restrictions upon its importation or exportation. The traffic in grains will be regulated by the supply and demand. For example, Chinese rice will not be exported unless it be cheaper than in other countries, and to be cheaper it must be abundant:—when scarce it is dear, and foreign rice will immediately be brought to this market, and there is no danger to the food of the people, by leaving the trade in it to regulate itself. In the proclamation of the former táutái, Kung, which originally refers to Chinese and not to foreigners, one reason assigned for the prohibition of the exportation of grains by the Chinese, was an apprehension that it might go to the keeping up the supply of food for pirates, but no such objection can be raised to its exportation in vessels of the United States.

The Undersigned respectfully requests your Excellency to give this subject mature consideration, and inform him of the result, and he will be most happy to find that his views and those of your Excellency upon the subject of free trade coincide; nevertheless, should they differ, and your Excellency inform him that it is still the wish of the Imperial government to prohibit the exportation of Chinese bread-stuffs, he will immediately refer the subject to the decision of the United States' government, and in the meantime call upon the United States' consuls to issue instructions to the merchants in China to desist from the exportation of rice, wheat, and other grains.

The Undersigned avails himself of the occasion to renew to your Excellency his high regards, and has the honor to remain,

Sir,

Your Excellency's very obedient servant,

[L. S.] PETER PARKER.

Sü, Imperial high Commissioner, &c., &c., and Yeh, the Governor of Canton, &c., &c., have the honor to acknowledge the receipt on the 14th instant, of the Hon. acting Commissioner's dispatch (of the 9th inst.), which we have perused and fully understand.

We have examined the subject of the non-exportation of rice and paddy, and find that originally it was apprehended that they might go to keep up the supply of food to the pirates on the ocean, therefore for a long period China has prohibited by law the exportation of grains. It is stated in your dispatch that no such objection exists to the exportation of grain in vessels of the United States; this, we, the minister and Governor, firmly believe; but seeing it has been prohibited to subjects of China, the trade as it respects foreigners should be placed upon the same footing, and it is right, as proposed in your dispatch, to transmit your instructions to the merchants of the United States to desist from purchasing and exporting grains.

As requisite we make this reply and avail ourselves of the occasion to present you the compliments of the season.

The foregoing communication is addressed to Peter Parker, Chargé d'affaires, *ad interim*, of the United States of America to China.

Hienfung, 1st year, Intercalary 8th moon, 2d day. (26th September, 1851.)

No. 3.

Legation of the United States,
Canton, 29th September, 1851.

Sir,

I avail myself of the earliest moment after the departure of the mail to enclose you a copy of the interesting Report of the Chinese agent sent to Formosa to search for shipwrecked Americans and other foreigners.

The report shows how fruitless it had been to have addressed the Chinese authorities here, with the expectation of any important information upon the subject being furnished by them.

No less than seven foreign vessels have been wrecked within the past three or four years, upon the coast of Formosa, and islands adjacent, as admitted by the inhabitants. That there are no foreigners on the Western half of Formosa is a fact pretty well established. But the East Coast, upon which it is stated one vessel has been wrecked, and the Pescadores, upon which there have been at least two vessels, still remain to be visited.

The savage tribes, on the South, should receive the early attention of those nations whose merchant vessels are annually liable to the same

Capt. W. D. Walker,
Senior Officer Commanding
East India Squadron
&c., &c., &c.

barbarities as those inflicted upon
most of the crew of the "Ardent."

I have the honor to remain,
Sir, respectfully,
Your Obed.t Servant.

Peter Parker

No. 4.

U. S. Ship Saratoga
Cumsingmoon
October 6th 1851.

Sir

I have the honor to acknowledge the receipt of your communication of the 29th September ults: accompanying a copy of the Report of the Chinese agent sent to Formosa by the U. S. Consul at Amoy, to search for shipwrecked Americans and other foreigners.

This report, so satisfactory to the Consul who selected the agent when taken in connexion with the facts recently collected by H. B. M. Steamer Salamander go far to establish the fact to which you refer- "that there are no foreigners on the Western half of Formosa." Now, as before, I concur with you in the opinion that much valuable information might be gathered on the Eastern shore of Formosa.

The general statement of the Chinese agent, who while in the interior learned from the aborigines through an interpreter that a foreign vessel was wrecked there three or four years ago, but could learn nothing further, adds to the propriety and expediency of visiting it, and it may be quite convenient for our vessels of war to touch at all approachable places on that shore, when cruising up and down the coast. I shall certainly recommend this.

I expect to visit Canton

in the course of a week or ten days and hope to have the pleasure of meeting you there.

With many thanks for the copy of the highly interesting report of the Chinese agent,

I have the honor to remain
Very respectfully
Your Obedient Servant,
(signed) W. D. Walker,
Commander
and Senior Officer
East India Squadron.

Hon: ~~Peter Parker,~~
Peter Parker,
U. S. Chargé d'affaires,
Canton,
China.

No. 5.

United States Consulate.
Shanghai October 4th 1851

Revd Peter Parker
Chargé de affaires ad interim
of the United States of America
Canton

Sir

Enclosed I have the honor to hand you copies in English of certain communications I have found it necessary to address to the acting Taotai Woo regarding the illegal seizure of Merchandize in course of landing from the Ship "Panama", in accordance with established Regulations; and the imprisonment of two Boat-men concerned who were acting under the orders of Citizens of the United States, and could for the time being be considered in no other light than as their servants.

I also endose Nos 1 @ 7 Chinese copies of the translations of my letters to the Taotai, and numbered 8 @ 12 copies of his replies of which last I am unable to hand you translations, having had none but verbal ones through the medium of a Linguist. The rendering of my communication into Chinese are not of course perfectly literal; but give the sense pretty nearly I believe, and are as accurate, as I think can be expected considering the imperfect means for interpreting at my command.

From the correspondence itself you will see the cause of the dispute, and the

ground

ground taken by one which I trust will meet your approval, and that of the Home Government.

I have only to add that at the commencement of the affair the acting Toutai assumed ground not only untenable in itself, but which if retained would soon place our persons, property, and servants at the mercy of Chinese Officials.

You will observe that after numerous subterfuges and evasions, the acting Toutai has at last assented to my demands as regards the release of the Boatmen, and payment for the Lead and other damages. The remaining demand hinging upon the fact as to whether the two Boats were seized alongside the Ship, has been left to the arbitrement of my Colleagues and the Sub Prefect Tan, who are to meet today at 1½ o'clock, and examine the witnesses. If the event of their decision being favorable to me, (of which I have no doubt) I shall insist upon the retaration asked for in the 2nd demand of my letter of the 26th ult: being made without delay, and shall advise of the result, in a later communication.

The acts of the Custom House authorities in this and another late case when they without good cause seize a lighter containing English property, and severely beat the Boatmen, is the more unjustifiable because they has received the ready assent of the Foreign Consuls to all the Regulations they proposed and has thus far collected double the amount of duty from the

same

same number of ships that they have done in any previous years. It shew at once the "animus" of the Chinese Authorities, that the more latitude you give them the more they attempt to take.

The present acting Coutre has surrounded himself with numerous Canton underlings in the Custom House and at his own office who have commenced with a system of intimidation, and would no doubt end by a system of forcing bribes from the servants and traders connected with us if not met and checked at the outset.

In numerous ways it has been shown of late that the acting Coutre is endeavouring to introduce many of the objectionable features of the old Canton System, and in one case a direct, but underhand attempt was made to intimidate one of my own servants. The manner however was such as to prevent my taking official notice of it; but I shall be on my guard to prevent a recurrence, and strenuously take up any case when proper proof of the attempt can be brought.

In conclusion I would state that although the present matter in dispute bids fair to be amicably, and for us honorably adjusted; the feelings lately shown both by the Authorities here and at Ningpo, (where some indirect attempts were recently made to interfere with the servants of the Missionaries) calls for a visit from some of our Men of war, in order to shew the Authorities that we have such vessels ready, and able to protect us in case of need.

During the whole period of my residence at the North, now nearly four years the port has not altogether had the presence of a

Vessel of

vessel of war for two weeks and Singapo has not been visited since the "Vincennes" was there in 1846. The "Preeble" and "Plymouth" were here about the same time, and for less than two weeks during the Spring of 1849.

The "Marion's" visit last Spring was worse than useless as she only laid here 60 hours, and from her hurried, and undignified departure left the impression upon both Foreigners and Chinese that she was hastening in fear to seek protection of the harbour and guns of the Cap from Enemies or Elemental dangers.

I have the honor to be, Sir,
Very Respectfully, Yr. Obed. Servt.
(signed) Lts. T. Aleop Griswold.

P.S.

I enclose copy of the New Custom House Regulations, lately promulgated by the Acting Foutae, for your information, and have to inform you that since writing the foregoing communication the meeting of the Arbitrators has taken place, and I now enclose copy of the letter addressed to me by the Foreign Consuls regarding the facts of the Boat alongside the "Panama", and giving their opinion as to the justice and reasonableness of my 2nd demand in letter of the 26th ult: to the Foutae.

I. T. A. G.

No 1

Griswold by the Supreme Executive Authority of the United States, Consul at Shanghae, makes this Communication to the Acting Taoutae Woo.

I have to day received a communication from the American Merchants Russell & Co, stating that on the 16th inst: they duly entered the American Ship "Panama" No 170, a part of her cargo consisting of 2205 piculs Lead, and received permission from the Custom House for the discharge of the whole cargo.

Having sold a portion of the Lead they yesterday gave an order to the Fingyeen Hong to go alongside, and receive 300 piculs, and while the Captain was delivering the said quantity; one boat being loaded, and the other partly so; but both being still alongside the ship, two Custom House boats came down the River, and with loud shouts seized the two, and carried them off. They therefore give one notice, that having returned to the said Hong the money paid for the Lead; they abandon the same to the Chinese Custom House authorities, holding them responsible for all losses, and damages accruing from this illegal seizure of Merchandize regularly entered and in course of landing in accordance with regulations.

Receiving this Statement, I sent for the Captain of the Ship, and making further enquiries find that the facts are as above stated, viz that the Boats were actually along-

side the ship receiving the Lead one of them having not completed her lading when seized by the officers; and that of the whole quantity (2305 piculs) entered at the Custom House only 774 piculs have yet been discharged, so that there could be no pretence of smuggling.

I am therefore bound to enter my official protest against this illegal seizure, as contrary to the letter, and spirit of the Treaty, which guarantees unmolested trade, and freedom, from all vexatious interference. The seizure being in itself, unjust and illegal; the manner of it insulting to the flag, and the effect as calculated to alarm and deter native dealers from receiving Merchandize from American vessels. I have now to request that you take immediate measures for the severe punishment of the Custom House attendants concerned in this seizure, in accordance with the closing clause of the 9th Article of the Custom House Regulations lately promulgated by you, failing which I shall consider the said Regulations void, and of no effect so far as vessels under the United States flag are concerned!

The American Merchants Russells & co will in a few days make out their claim for the value of the Lead thus illegally seized, which I shall forward for your Excellency for collection.

United States Consulate,
Shanghae 24th September 1851.

(signed) Jno: A. Aleop Griswold.

Griswold by the Supreme Executive Authority of the United States, Consul at Shanghae, makes this communication to the acting Toutae Wuo.

My Countrymen Russell & Co have applied to me stating that they yesterday gave the Lumtsin'g Hong, an order to receive 600 piculs Lead from the American ship "Panama" No 170 which had been duly entered at the Custom House on the 16th inst, and permission given for the discharge of Cargo. The said Hong sent Boats to the ship and received from her 273 Pigs, with which they were proceeding to their warehouse in the city, when they were seized by the Custom House Boats, on the ground of not having gone to the Custom House first for Examination, and sealment; and the Lead is now piled up in the Custom House yard, the officials declaring that they seize it as smuggled property.

This coming to my knowledge I have anew examined the Custom House Regulations promulgated by you on the 28th ulto; and find it nowhere therein provided that the Boats must go to the Custom House Jetty for examination and ensealment. The first and second articles simply provide that the goods cannot be discharged until a permit has been obtained, and the 9th article only states, that information shall be given to the Custom House attendants, when they make enquiries of the Master, or persons in charge of the Cargo Boats, and allow their removal to the Custom House Jetty for Examination, in case the party in charge is unwilling or unable to give the requisite

information. In case of false information being given it was provided that the Boats might be seized, and the Master punished; but so long as the goods have been regularly entered, and permit given for their discharge, nothing in the above Regulation can be considered as authorizing the seizure of the Merchandize. In the present case no information was either asked for by the Custom House attendants or given by the party in Charge of the Boats.

The seizure being therefore illegal and not in accordance with any Regulation I have to inform you that Russell & Co have delivered an equal quantity of Lead from their Godown on Shore, to the Sumtsing Hong, and abandon this parcel to the Custom House Authorities, and I shall look to you for the payment of its value together with that of the Boats, unless the latter are immediately released, and remunerated for their detention, beyond the time required for a proper examination of their Contents.

A Statement of the claim for the value of the Lead, and Boats, will be made out, and forwarded to you in a few days.

United States Consulate,
Shanghae 24th September 1851.

(Signed) Jno A. Alsop Griswold

No 3.

Griswold by the Supreme Executive Authority of the United States Consul at Shanghai makes this communication to the acting Toutai Woo.

I have just received information that two Boatmen, named Cha Chun mao, and Kiew Co yee employed by the Sumtsing Stong under the orders of the American Merchants Russell & Co, have been arrested and carried to the Magistrate's office, at the instance of the Custom House Authorities.

As these parties have been guilty of no offence against any Established law or Regulations, and were acting under the orders of an American firm; I have to ask your Excellency to cause them to be immediately released, and sent to my office that I may ascertain wither any punishment has been inflicted.

Failing their release and appearance at my office this day, I shall hold the Chinese officers responsible for an infringement of the 8th & 28th Articles of the Treaty which state that "Americans are to be allowed to hire Cargo Boats, and "Servants at pleasure, without interference on the part of the Chinese local officers, and that they shall be suffered to prosecute their Commerce in quiet, without molestation or Embarrassment.

United States Consulate
Shanghai, Sept: 23th 1851.

(Signed) Jno N. Alcop Griswold

No 4.

Griswold by the Supreme Executive Authority of the United States, Consul at Shanghae makes this Communication to the acting Toutae Woo.

I yesterday received your two communications of the same date replying to mine of the 24th & 25th inst, regarding the seizure of Lead in Boats alongside the American ship "Panama", and the imprisonment of two Boatmen, who were engaged in carrying Lead from the said Ship for the Kiuntising Stong in accordance with the orders of the American Merchants Russell & Co

You state that you had examined the Boatmen employed for the Pingsee Stong, and also the headmen of the Custom House Boats, and that all agree in saying that the Boats were seized at the Salt Jetty, near the City, and not alongside the ship.

You further state that no landing permit had been given from the Custom house, for the discharge of the Panama's Cargo, and request me to examine the Captain, again to see, if there was not some mistake about the Boats being seized alongside the ship.

In reply I have now to state that having called upon Russell & Co's for proof of their allegation as to the seizure of the Lead alongside the ship, and as to their having received a permit for the landing of the Cargo:—

They have brought before me Capt. Dearborn of the ship Panama No 170, and Capt. Stussey of the American ship "Jno. Baring" (149) all of whom being put on their oath, or affirmation depose

that on the afternoon of the 28th inst, a little after 5 P.M:, they saw two Boats with Custom House flags flying go alongside the ship Canarra, and carry them off in the direction of the Customs House Jetty, the Cargo Boats being fast to the ship at the time, and one of them receiving lead when seized. They further deposed that the act was accompanied with a great noise and disturbance. It is therefore quite evident that the head man of the Custom House Boat has spoken falsely to save himself from the punishment he deserves, and the Cargo Boatmen who you say were examined by the Magistrate and testified to having been seized at the Salt Jetty were those carrying lead for the Sumtising Stong, and not those carrying for Tinyeen. The Sumtising Boats being seized at the Salt Jetty and the Tinyeen alongside the ship. If the Tinyeen boatmen actually said what you report, they must have been forced to say it by torture, or the fear of it, as the Statement is not true. As to the landing permit Russell Sbo have handed me one of which I enclose a copy for your inspection and am ready to show the original to you or any one you may send to see it; but I cannot allow it to go out of my hands, until this business is satisfactorily settled.

With reference to the two Boatmen Cha Chew mao and Sim Co yuen whom you decline to send to me, unless I agree to return them to the Magistrate to be dealt

wid as smugglers: I have to state that they cannot be smugglers, having received goods that had been regularly entered, and permit given for the landing, and for the duties on which, I the Consul stood security by retaining the ships papers until paid I consider these Boatmen, as in the Employ of Russell & and acting under their orders to go, and receive the Lead- If any smuggling can be proved, Russell & Co are responsible, as the Boatmen received the Lead by their orders. They were not told to go to the Custom House Jetty for examination, as there is no regulation requiring them to do so, and such could not be made binding upon Cargo taken from American vessels, without my knowledge, and Consent, and the Regulations being made public for the guidance of both Foreigners and Chinese. It is not in your power to bring proof of any such Regulations being in force or agreed to by me.

I have full proof of the American flag being needlessly and wantonly insulted by seizing boats while alongside and under its protection. The business of the ship interrupted, and innocent boatmen seized, while in the Employ of Foreigners, for doing that which under Treaty they had a perfect right to do.

Such proof as will justify me with my Superior Officers, and the United States Government; in taking extreme measures for the protection of the honor of the flag.

I have therefore now officially to

protest against the course you are pursuing, and the acts of your subordinate officers, as insulting to the United States as a Nation, as interrupting the quiet trade, guaranteed by Treaty, and as calculated to interrupt the friendly relations hitherto existing between the United States and China. And I have further to state that if within 24 hours from the receipt by you of this communication the following three demands are not acceeded to, I shall consider the Treaty as infringed and in abeyance, and shall then send you one more document, stating what course I shall take for the protection of the honor of the United States Flag, and the interests of her citizens, afterwards communicating with you no further, until this difficulty is settled by higher powers.

The demands are

1st — The immediate and unconditional release of the Boatmen Cha Chun mao and Sim Cogueu, and a guarantee that they shall not be further molested.

2nd — The punishment of the headmen of the two Boats, that made the seizure alongside the ship. Their punishment in part or whole to be inflicted alongside of the vessel where the offence was committed, and the headmen further to make an humble apology to me and to the Captain, for the insult offered to the Flag.

3rd — Your agreement to pay Russell & Co the full value of all the Lead thus

illegally seized, at the same rate at which it was sold to Sumtsingo and Tinyuen Hongs. and further to pay all loss, and damage to the Boats thus illegally seized and detained, and the expenses of landing balance of the lead, by the "Panama" which though sold the native dealers fear to go alongside and receive, in consequence of the late difficulties.

United States Consulate
Shanghae, Sept: 26th 1851.

(signed) Jno: N. Alcock Griswold.

True Copy

(signed) P. Loureiro Jr.,
assistant U.S. Consulate.

No. 5.

Griswold by the Supreme Executive Authority of the United States Consul at Shanghae makes this communication to the Acting Foutae Woo.

I have received your communication of yesterday accompanied by the two Boatmen Che Chae mao and Kim-Ce-yuen, whose release I had demanded, and proposing that the further settlement of the difficulties between us should be referred to my colleagues the Honble Consuls Alcock, Robertson, and Beale, and to the Sub Perfect Sau, who should together examine all the witnesses in the case and decide as to the fact of the seizure of the Boats alongside of the ship, and determine what reparation shall be made.

I have further taken particular notice of all the arguments and reasons you adduce (referring to the 3d and 7th Articles of the English General Regulations of Trade, the 13th Article of the United States Treaty and the 3d Article of the new Regulations) why boats are bound to go to the Custom House jetty for examination and your right to seize and punish the Boatmen as Smugglers for omitting to do so.

In reply I have now to state that the Boatmen having been released with the understanding that they are to be molested no further hereafter than may be necessary to obtain their evidence as to the facts, I am ready to submit the remaining points in dispute to my colleagues and the Sub Perfect Dau, with the proviso however that the Honorable French

Consul Montigny form one of the Arbitrators, and that you agree to abide by their decision, or that of a majority of their number

If these terms are agreeable, I would request Your Excellency to address the four Consuls, and the Subprefect Lorre, asking them to act in the premisses, and agreeing to abide by their decision of a majority - I will do likewise suggesting an early day for their meeting say Wednesday next the 1st inst at any hour that suits their convenience in order that I may send off a vessel that I am now detaining here at considerable expense, awaiting the settlement of these difficulties.

In answer to your arguments justifying your Course in the seizure of Boatmen and proposed confiscation of the Lead, I would premise that the English General Regulations of Trade are not binding on Citizens or Vessels of the United States unless made or by the Special Agreement of the Officers of the latter Country. Neither the 13th Article of the Treaty between the United States and China, nor the 3d Article of the new Regulations state that Boats must go to the Custom House Jetty for examination, the 9th Article of the United States Treaty simply providing that one or more Custom House Officers shall be placed on board of each vessel (which has never yet been done as it should be) leaving details of the examination of goods &c to be settled between the local Authorities and Consuls.

The present difficulties do not arise from the fact of your seizing the boat at the

Salt Jetty, and forcing her to return to the Custom House for Examination; but that in the absence of any settled and clearly promulgated Regulations that Boats must go to the Custom House Jetty you should take upon yourself arbitrarily and without reference to me to seize not only the Boat at the Salt Jetty, but also those actually alongside the Ship under the protection of the Flag / and who now having left the ship's side it could not be known whether they were going to the Custom House Jetty or not / declaring that you seize the goods as smuggled property and in defiance of my remonstrance would punish the Boatmen as smugglers, you all the while knowing perfectly well that the Lead had been regularly entered, and duty secured and that the parties receiving it could have no interest in smuggling; erring if they erred at all through ignorance rather than intention. If the Boats had been merely brought back for examination and then liberated, I should have made no complaint. Before proceeding to the extreme measures you had done of seizing the property as smuggled and imprisoning innocent Boatmen, you should have remembered that the Old Custom House regulations (lately superceeded by the new ones, and now of no Effect) which did provide for the Boats going to the Jetties had not been enforced for many years; boats having been at liberty to proceed from the ships direct to the interior without molestation and nothing having lately been promulgated on this

point both Merchants and Boatmen were ignorant that any thing different was required.

It would have been proper for the Custom House Boats to have stationed themselves at the ends of the Foreign anchorage and turned back any boats passing that had not the Custom House Seal, but they had no right to seize them as smugglers, and particularly alongside the ship.

While your Custom House Boats have been thus over officious in seizing property regularly entered, and upon which the duty would be paid; the same being discharged between the legal hours of Sunrise and Sunset; they pay no attention at night; but allow goods at those hours to be smuggled with impunity of all which I have full proof. Thus they interfere with and embarass the fair trader while from bribery or sloth, they leave the smuggler to pursue his course unmolested. It is your duty to enquire and examine into this matter, and punish the guilty.

United States Consulate
Shanghae 29th September 1851.

(signed) Jno: N. Abbot Griswold.

No. 6.

Griswold by the Supreme Executive Authority of the United States Consul at Shanghae makes this communication to the acting Pontne Woo.

I have received your communication of yesterday and made myself fully acquainted with its contents.

In reply I have to state that I never asserted that it was not proper for Custom House officers to examine Merchandize when shifted or landed as such examination is obviously necessary. I did state however that in the absence of any clear or positive Regulation, as to where the goods should be examined, you had no right to seize goods regularly entered at the Custom House as Smuggled, and imprison Boatmen in the employ of Foreigners who were ignorant of any Regulation obliging them to go to the Custom House Jetty. And more especially had you no right to seize Boats alongside the Ship under the protection of the American Flag.

As I have stated to you before had you not seized the Boats alongside of the ship; but simply brought them back from the Salt Jetty for examination and then liberated them on finding that the Cargo had been regularly entered I should have made no complaint; but when you insult the Flag by seizing boats alongside the Ship (declaring that you will confiscate the property and punish the Boatmen as smugglers it then behoves me to act, and see that satisfaction is obtained

As regards the Stumble French Consul forming one of the Arbiters I have to say that his assent or non assent to the

new Custom House Regulations is not material to the points at issue between us.

All that was proposed for the decision of the Arbitrators was as to the fact of the seizure of the Boats alongside the ship, and what reparation shall be made for that, and the declared Confiscation of the Merchandize, and attempt at punishment of the Boatmen.

If you propose to leave the mere facts of the seizure of the Boats alongside the ship to the Arbitrators I have no objection, but it must be with the understanding that if that fact is satisfactorily proved before them, you accede at once to the second and third demands made by me in my letter of the 26th ult:

I hereby expressly decline to receive the Lead, you having illegally seized it must bear the consequences and make good its value to the owners; who inform me that by its detention they have lost the Sale, and cannot now appropriate it.

It is obviously necessary that you address the several Consuls as suggested in my letter of the 29th ult; or else that without further delay you accede to the 2nd and 3rd demands made by me on the 26th. It was your own proposition to refer the remaining dispute to the Consuls and the Pub Perfect Law, which I accepted, and if you now decline to send them the needful communications asking them to act, or do not accede to my demands it is quite evident that you have no intention of doing what is right but put me off with unworthy evasions.

As I have stated to you before I am now detaining a vessel here at heavy expence until this affair is satisfactorily settled,

and I have therefore to ask that within 24 hours you accede to the second and third demands made in my communication of the 26th ult:, or send the necessary communications to the other Consuls, asking them to act and agreeing to abide by their decision as to the fact of the seizure of the Boats alongside the ship, leaving the question of reparation to them or not as you may see fit.

Failing your conformity to one of the above demands within the time specified, I shall then recur to the closing clause of my letter of the 26th ult:, sending you one more communication stating what course I shall take, and then holding no further communication with you until I have seen your superior officers.

The Honorable English Consul Alcock is now unwell; but has informed me that he will be able to attend to this business on the 3rd inst:, and if from your dilatory course you oblige me to detain the vessel referred to beyond that time, I shall claim that her expenses be made good by you.

Regarding vessels smuggling at night I have to state that I am quite ready, and able to furnish the necessary proof provided you will give me a guarantee not to trouble the vessels or Merchants concerned; who not belonging to the United States, I have no right to interfere with, by giving information, or otherwise getting them into difficulties.

It will then be clear whether you are disposed to make your officials do their duty with reference

to smuggling or only permit them to embarass fair traders who do not offer bribes.

United States Consulate
Shanghai October 1st 1861.

(signed) Jno: N. Alcock Griswold

No. 7.

Griswold by the Supreme Executive Authority of the United States Consul at Shanghai makes this communication to the acting Toutae Woo.

Your Communication of yesterday has been received, and I have noted its contents

I complained of the Treatment of the Boatmen not because they had been taken to the Magistrate for Examination: but that after I had written to you on the 25th ults: asking their release, and stating that they were acting under the orders of the American Merchants Russell & Co, you should have replied under the same date stating that these men were sentenced as smugglers.

The course pursued by the Custom House with the 3 pieces Sheetings, when they turned the boats back for examination, and afterwards liberating them was quite correct and you had no complaint from me on this score except a verbal one that I thought the Custom House detained them rather an unnecessary length of time.

It is true that in neither of your three communications did you Expressly state that you would confiscate the Lead; but the same was implied by your saying it was smuggled; and acts being at all times more conclusive than words I wanted no better evidence than what was done by your officers; who took the Lead from the Boats, and piled it up within the Custom House thus in effect confiscating it. Though this may have been done without your sanction, you are responsible for their acts, and for this reason I called upon you

to pay the value of the Lead leaving you to deal with the officers who thus illegally confiscated it as you might see fit.

In regard to the vessel which I informed you in my last communication was being detained until the settlement of this affair I beg to explain that I did not refer to the ship "Panama" the vessel from which the seizure of Lead was made but to another ship to which I purposed giving a Consular Flag and authority to act as a Government vessel, until these difficulties were settled, or until the arrival of a duly authorized Government ship from Macao You having now reasonably consented to make good the value of the Lead and other losses arising from this illegal seizure, and to refer the fact of the seizure of the Lead alongside the ships to my Colleagues, and the Sub Perfect Lam it will not be necessary to detain the vessel alluded to beyond the 4th inst, and I shall send her to Canton advising the United States Charge d' Affaires that these difficulties have been amicably adjusted. Thus there will be no claims for expenses by her detention.

I shall be ready with my proof of the seizure of the two Boats alongside the ship, and expect to meet you at the English Consulate on the 4th inst at 1 o'clock, in accordance with what was stated on your card received yesterday when I trust that this dispute may be satisfactorily settled, and you fully perceive

how much you have been misled by the illegal acts and false statements of your Custom House Officers, and be disposed to meet out to them due punishment thus preventing a recurrence of like difficulties.

After all outstanding business between us is settled I shall then be ready, in concert with the other Consuls to agree as to the limits beyond which boats may be seized for non conformity to Regulations and also to defend the points to which they shall go for examination.

I now enclose Statement of Russell & Co's claim for value of the Lead and other expenses attending its seizure amounting in all to $ 9519 66/100, which I will thank you to pay at your earliest convenience, and to cause the two boats employed for the Pinqueu Hong to be sent to the Tucker Jetty near my office for restoration to the owners, they having lain since the date of the seizure at the Custom House Jetty, in charge of the officers.

United States Consulate
Shanghae 3d October 1851

(signed) Jno: N. Olcott Griswold

True Copy

P. Loureiro Jr.
Assistant U. S. Consulate

(No 8.)

British Consulate,
Shanghae 11th Oct. 1851.

The Consuls of Great Britain, France, Denmark, Portugal, and the Netherlands; in conjunction with the Taefang and the Che Hsien of Shanghae having examined the witnesses, consisting of Chinese boatmen employed by Choh Kee Sayuen Hong, and Capt. Dearborn, master com'ing the United States ship "Panama", as to the seizure of two boats by the Custom House officers, while employed in taking lead from the ship, they are of opinion that it has been clearly proved the two Boats in question were seized alongside, and while they were fast to the ship, and in this conclusion, the two Chinese officers expressed their concurrence.

The undersigned Consuls having further been requested in a letter signed by the Consul of the United States, under date Oct.r 4th 1851, to give him their opinion as to the justice and reasonableness of the second demand, in his letter of the 26th ultimo, to the Taotae, they would now suggest for their Colleague's consideration that, as there does not seem to have been any intention to shew disrespect to the United States flag, if a Mandarin be sent with the Custom House officers engaged, to the Consul of the United States and subsequently on board of the "Panama", to make a humble apology for their unauthorized proceeding such

apology

apology might be accepted as a sufficient reparation.

(signed) Rutherford Alcock H. B. M. Consul
C de Montigny
Consul de France
D. B. Robertson H B M Consul
P. C. Beale H. M. A. M. Consul &
V' Consul of the Netherlands.

True Copy

(signed) P. Loureiro Jr,
Assistant U. S. Consulate

(No. 2)

Custom House Regulations

1——As soon as a vessel arrives in Port, she must as heretofore be reported in accordance with the Treaty thro the intervention of the Consul. The Consignee of the ship will then apply to the Custom House for a written permit to open the hold, and land the Goods; and should the hatches be opened before the delivery of such permit; the Consul will as soon as it is discovered be requested to inflict the penalties by Treaty provided, and the goods thus illegally landed or transhipped shall all be confiscated.

2——After the permit to open the hatches has been delivered to the Consignee of the vessel, each of the several consignees of the cargo will hand into the Custom House a written note specifying the number of packages, contents and such like particulars when a permit in writing shall be deli=vered to the party so reporting, on which the goods may be landed. And if any goods be discovered landed or transhipped, without such written authority, or any discrepancy be found between the quantities landed, and those specified in the notice and permit, the whole of such goods shall be confiscated.

3——The reporting of Export Goods at the Custom House shall be transacted in the same manner as that of Import Cargoes. A permit to load having previously been applied for, and received by the Consignee of the vessel: each individual shipper will then hand into the Custom House a written notice specifying the nature of produce, number of packages, and such like particulars, when a permit in writing will be delivered to him, on which to make the shipment. If any goods be discovered being shipped without such permit, or discrepancy be found between the nature and quantity shipped, and that recorded

recorded in the permit; the whole of the goods thus irregularly shifted, shall be confiscated.

4____ When the loading of a vessel is completed; the consignee of the Ship; will hand into the Custom House a written Manifest of the outward Cargo particularising therein the nature and quantity of the Goods; the weight of each package, and the collective amount of the whole.

5____ All Foreign Merchants purchasing Tea or Silk for Export, will demand from the Chinese dealer; the Station House Dockets of Registry which will be produced to the Government Banker on payment of Duties, and without which Document, the Banker is under strict orders not to receive any duties, or deliver any receipts. But the Station House officers may not exhort the slightest fee in the issue of such Dockets, and should any attempt to break this rule, the sufferers are at liberty to report them, and they shall be severely punished.

6____ The Consignee will make up the account of all Tonnage Dues, Import & Export Duty at the Custom House, & then pay the whole into the Government Banker from whom they will receive the receipts, which will be delivered directly into the Custom House and not as heretofore thro the Consul. If any misunderstanding should arise however, reference will be made to the Consul as usual.

7____ The Custom House once satisfied of the correctness of the Manifests of Import & Export Cargo, and that the whole of the dues and duties have been paid in, will issue a Grand Chop which will be in Triplicate; specifying the actual amount of Tonnage Dues and Duties paid; one copy of which will be handed to the Merchant; one sent to the

Consul

Consul, and one kept on record; and on production of which the Consul will return the ships papers and allow the vessel to depart.

8____ The shipment and discharge of Goods shall be carried on between sunrise and sunset; and cannot be allowed after dark; if there be any necessity to continue either after dark it can only be permitted on application to the Superintendent of Customs, for, and receipt of a special permit; any infraction of this Rule shall be treated as smuggling, and all the goods shall be confiscated.

9____ The Custom House attendants stationed at the Settles will be at liberty as they think necessary to demand of the masters of Cargo boats discharging or shipping goods the name of the vessel whence they have come, or whither they are going, as also the name of the Hong to which the goods belong; and the number of packages in the Boats; and the men in charge shall reply clearly to their questions without any misrepresentation; should they refuse to do so, or be unable from ignorance to give the requisite information, or should the Custom House officers see reason to suspect any irregularity in either case, they will remove the Boat to the Custom House Settle for more minute examination, and should false information be proved to have been given, the Boat will be confiscated, and the party in charge punished by their own authorities if Chinese, if a Foreigner the Superintendant of Customs will request the Consul to examine the case and prohibit the party from pursuing the business of lightering. The Custom House attendants will however not be permitted, under pain of severe

punishment,

punishment, to offer vexatious interference, or cause unnecessary detention.

10____ The increased vigilance on the part of the Custom House officers, and rigorous application of the law are most necessary at this juncture to crave respect to authority, and prevent fraud upon the revenue. It is therefore publicly notified that henceforth the Superintendant of Customs will levy the full penalty without any compromise whenever any case of smuggling is proved and confiscate the whole of the goods; he is entitled by regulation to seize without distinction of persons or flag.

Note____ The foregoing Regulations on and from the 25th August 1857 will go into effect.

True Copy.

signed P Sonreno Jr,
assistant U.S. Consulate.

No. 6.

Legation of the United States,
Canton, 17th October, 1851.

Sir,

Your Despatch of the 11th inst: with its enclosures, came duly to hand on the 11th inst. I have given the correspondence between yourself and the Taotai relative to the late illegal acts of the Custom House officers in the case of the "Panama" a careful examination, the result of which is a conviction that you have met the emergency with a Spirit, and energy, which the exigencies of the case demanded, and that the issue has been successful and satisfactory. It affords me pleasure to perceive from the correspondence, that while strenuously maintaining the rights of lawful commerce, you have distinctly evinced your dis= =approbation of the illicit trade. It is much to be deprecated that in the Commence= =ment of a more vigilant attention to the Acts of trade at your Port, the revenue officers, selected through inadvertance or corruption, should thus have made a false start, when, as it appears, cases of unquestionable fraud existed demanding their attention.

In reference to the "Custom House Regu= =lations" recently promulgated at Shanghae, a copy of which you have furnished the Legation, at present, I will simply reiterate the express= =ion of my aversion to the needless multipli= =cation

Hon: S. A. Griswold Esqr
United States Consul, Shanghae.

-cation of petty rules, when the broad principles of the Treaty are amply commensurate to the exigencies of the trade if honestly adhered to by all concerned. My recommendation is not to embarass the trade of the United States by acknowledging superfluous regulations, but give to the Chinese Government the fullest benefit of the Treaty stipulations for the protection of their revenue.

I note your remarks upon the desirableness of a visit from some of our men-of-war, and but for the daily expectation of Commodore Aulick's arrival, should address Capt. Walker upon the subject. I am fully impressed with the justness of your observations upon the matter, and shall early confer with the Commodore on his arrival in these waters, and trust that before many months the United States Flag will be seen at your port.

I have the honor to remain,
Sir, Very respectfully,
Your Obedient Servant,

Peter Parker.

Rec'd March Mr Derrick

Legation of the United States,

No. 23. Original. Canton 27th Dec. 1851

Hon: Daniel Webster

Secretary of State,

Sir,

I have the honor herewith to transmit you the correspondence of this Legation since the 22nd October embracing Enclosures Nos 1. to 24. inclusive. A synopsis of this correspondence is appended. (Vide Enclos No 25.)

A change has recently taken place in the government of Macao, which is understood to have resulted from an altercation between H. E. Governor Cordoza & Capt Simmons, in consequence of the latter having failed to vacate Mang. Dac in the Portuguese Corvette under his command. The subject was referred home, and by the Mail Gov. Cordoza received a notice that his eminent talents were required for a special

appointment

appointment in H. M. S. Majesty's service, and that the government of the Province was transferred to H. E. Isidora G. Guimarais Jr. Under the brief administration of Lt Gov. Cardoza Macau has been prosperous, and His Excellency had the satisfaction of leaving in the Treasury, which he found nearly empty, the sum of 25.000 Taels. The new Governor was inaugurated on the 19th Nov. & appears to be an intelligent man, well acquainted with the English language, and manifests a very friendly disposition towards the citizens and subjects of other nations.

The reign of Kwan Tung, hitherto has been far from tranquil. In various parts of the Empire difficulties of grave political importance are of frequent occurrence. The Governor of Kan Suh has been the cause of insubordination. He threw the Governor, for mal administration, has been ordered to become his own executioner, and to hang himself with a "white silk". A similar thing has occurred

occurred

usage accords to Ministers of State who become amenable to the extreme penalties of the law.

Organised societies of revolutionists in the Provinces of Hou Peh & Honan, as stated in the Court Journal, have been reported to His Imperial Majesty, whereupon the Board of War has issued injunctions to all the civil & military officers of those central provinces to search out with care, and exterminate the traitors. On the 15th Sept. the banks of the Yellow River gave way, involving immense loss of life & property. A heavy contribution has been levied upon the eighteen Provinces to repair the damages. Added to all this are the expenses & trouble of the revolution in Kwang Se and neighborhood. The cost to the Government, already, of this civil war is estimated at 6 or 7,000,000 Taels, and the rebel force is still unbroken. From all I am able to learn of the ability of the four principal leaders in this revolt, I am not confident of their ultimate

success.

success, but that they are destined to give the Manchoo rulers much annoyance there can be no doubt (Vide Encl: No. 13.) Unfortunately for foreign interests, the commerce of the country is, as yet, less affected than might have been expected.

On board H. Bkang Dai under date of the 27th ult (Vide Encl: No 11.) has addressed the Legation, representing the imperative necessity for the presence of a government vessel at the port of Bassein, under date of 15th inst. (No 8) informed her he would proceed thither immediately after the arrival of the mail, in the U.S. Corvette. Whether she has yet sailed, I am not informed. The "Marion" Commander Glendy, is now at Rangoon. (No. 14.)

The Department is doubtless aware of the accession of a new King to the Throne of Siam. A gentleman well acquainted with the state of public affairs in Siam has addressed me a letter suggesting that the present is a favorable opportunity for the government of the United States to make

the

the needful arrangements for renewing the treaty with that government, and expresses the opinion that there is "good reason to suppose that an effort now made through a suitable agency might be attended with success, and result in much good to both countries." From the comparatively enlightened character of the new King, and the liberal policy he is disposed to adopt towards Europeans, I am induced to concur fully in the above opinion, & take the liberty of respectfully inviting your attention to the subject.

With sentiments of distinguished consideration, I have the honor to remain

Sir,

Very Respectfully

Your Obedient Servant

Peter Parker

Encl. No. 10. Duplicate. Dispatch No. 28. (Omitted)

Griswold by the Supreme Executive authority of the United States Consul at Shanghae makes this communication to Lin Toutre ?

I yesterday received your communication relating to the discrepancy between the inward Manifest and Goods landed from the United States ship "Oriental" ("here follow copy of Toutre's communication") Immediate notice was sent to the Consignees Lindsay &co., who returned a new Manifest, and stated that they had inadvertantly ommitted to enter 5 Bales Chintz. Seeing that their Manifest as so amended, did not agree with the account given by the Custom House, I ordered the Captain to hand in copies of Bills of Lading for all the Cargo on board when the ship entered the Port, and to state under oath that they contained a true account of all the Merchandize discharged at Shanghae. On comparing the Bills of Lading so sworn to with Lindsay &c's amended Manifest, I find that the total number of Packages of piece Goods and Stores

and Chines agree; being 120 packages Woollens, 5 cases Chintz, 25 packages personal Stores, together 148 packages. 150 Bundles Cotton Matting, 14 Bundles Sea papers.

On enquiring of Lindsay & Co how such numerous errors in Entry occurred, this being the second amendment to the Manifest, they state that the Woollens had before paid duty at Canton; the 120 Bales being contained in 30 large Bales; that in this first entry it was their intention to enter them in accordance with the Canton Duty receipt as 30 Bales; but their clerk in the Manifest made the figure 3 look like 8, and they were by mistake entered as 80 Bales. They hold a Canton duty receipt for 30 large Bales, 3240 Changs, which they say is equivalent to the Contents of the 120 small trusses. The 5 cases Chintz they say were accidentally ommitted and the amount of duty upon them being so small, say only $ 25. I am inclined to think the error has arisen from inadvertance rather than from

any intention

any intention to smuggle.

I now beg to hand you new inward Manifest for the Ship, and being confident that the omission of the 5 cases Chintz was accidental, hope you will overlook it and accept the amended Entry.

The Custom House officers, have apparently mistaken some of the packages Shoes for Sheetings, and the account now given by Lindsay & Co of 148 packages Woollens, Cotton & Shoes, is larger than the officers have reported as landed from the Ship

United States Consulate
Shanghae 5th July 1851
(signed) Jno: N. Abbot Griswold

Griswold by the Supreme Executive Authority of the United States Consul at Shanghae makes this communication to Lin Footae. ?

I have received your communication dated yesterday replying to mine of July 5th regarding the amendments to Manifest of the ship "Oriental", and notice that you are willing to accept Lindsay & Bro's amendment so far as regards the errors in the entry of Woollens, & Chintz; but you enquire, where are the Grey & White Shirtings reported by the Custom House officers, and request me to examine about them, - In reply I have to state that my communication of the 5th inst, on this subject informed you that I had examined the Captain on oath, and made him produce copies of his Bills of Lading for all the Cargo brought into Port, and I found that there were no Grey or White Shirtings on board, the Bills of Lading agreeing with Lindsay & Bro's amended Manifest as regards all the piece Goods, and personal stores, which is the only Complaint entered.

A. I

As I then told you, the Custom House officers have no doubt mistaken the Bales of Shoes, containing Canvass for shirtings, and thus the error arisen, or else they have places to account of the "Orient" goods coming from other vessels.

As Your Excellency has in your Communication just received, agreed to overlook the small error in the entry of Woollens & Chintz, and satisfactory proof being adduced that no shirtings (as alleged by the Custom House) have been landed from the ship, I have to request that you give orders at the Custom House for the clearance of the ship without further delay, and return the original erroneous Manifest to me.

United States Consulate
Shanghae, July 8th 1857

(signed) Jno: A. Aloff Griswold

Griswold by the Supreme Executive Authority of the United States Consul at Shanghae makes this communication to Lin Soutae.

I have received your communication of today stating that the U. States ship "Roman" has landed 139 Bales Drills, 12 Bales Camlets, and 18 Bales Spanish Shirtes more than were entered, and requesting me to deal with the case as one of Smuggling, according to regulations.

I have accordingly called upon the Captain to produce his Bills of Lading, and verify upon oath that they contain a true account of all the goods landed at this Port. This being done, I find that the Bills of Lading agree with the Manifest, and that no more goods liable to duties were brought into Port; than were contained in the said Manifest.

I also sent to the Custom House, and obtained their Book in which the goods were entered as landed day by day, and on examination find that they have entered therein 489 Bales Drills, 9 Bales Sheetings, 63 Bales Long Ells, 90 Bales Woollens, 144 bases White Shirtings

Shirtings, 10 cases Velvets, 22 cases Lamlets, and 20 cases Chintz.-

The Manifest shows 350 Bales Drills, 130 Bales Sheetings, 85 Bales Long Ells, 72 Bales Woollens, 150 Cases White Shirtings, 10 cases of Velvets, & 10 of Lamlets. It therefore appears that while the Customs Stores report 139 Bales Drills, 18 Bales Woollens, & 72 Bales Lamlets, they have no account of 121 Bales Sheetings, 22 Bales Long Ells, 6 cases White Shirtings and it is quite evident that they have mistaken Sheetings for Drills, Long Ells, and white Shirtings for Woollens & Lamlets, and that the total excess of 40 Packages arises from personal Stores belonging to the Captain, which the officers have estimated to be Chintz or Lamlets.

I have therefore, after a full examination of the case, come to the conclusion that there has been no attempt at smuggling, and that the complaint has arisen solely from the indolence of the Customs officers, who do not take the trouble properly to examine the goods as landed, and thus cause needless annoyance & waste of time to your Excellency and myself.

I have

Their carelessness is evinced by the fact of their making the foregoing mistakes, and that they allowed Messrs Smith & Co's to pass goods as 1950 pieces, which in reality contained 3250 pcs. the real duties upon which are only collected by Messrs Smith & Co's honesty in coming forward & giving the true amount, after the Customs officers had actually agreed with them at 1950 pcs.

In future cases of frivolous and unfounded complaints like the present arising from carelessness of the Customs officers, I shall call upon Your Excellency to punish them, - while always ready to examine into, and punish any real cases of smuggling that may be proved against vessels of the United States, my time is too valuable to be wasted in Entertaining such idle complaints, as the present one appears to be.

The officers must hunt up trivial and unfounded cases against U. States vessels and take no notice of smuggling to a large extent that is going on in vessels of other Nations.

Having

having as above stated enquires into the case, and finding there has been no attempt to smuggle and the ship being now ready to clear at the Custom House, I have to request that you will make the necessary preparations to part her Grand Chop tomorrow.

The Consignees having engaged with the Shippers, that she shall sail on the 20th, a forfeit of upwards of $10.000 will be exacted if she is detained beyond that date.

United States Consulate,
Shanghae July 18th 1857.

(signed) Jno: N. Alsop Griswold

Griswold by the Supreme Executive Authority of the United States Consul at Shanghae makes this Communication to Lin Tsuhe.

I have received your letter of the 19th inst., replying to mine of the 18th on the subject of the alleged Smuggling by the ship "Romand"

In reply I beg to state that it is the business of the Custom House Officers to examine the Cargo as landed, and not depend upon the Merchants account. In the present case the Merchants entered 150 cases White Shirtings, 130 Bales Sheetings, 785 Bales Long Ells, which I have found on Comparison with the Bills of Lading to be correct, while the Custom House Officers have only an account of 144 cases white Shirtings 9 Bales Sheetings 763 Bales Long Ells, and have made the Drills, Woollens & Camlets as found in excess. This shows clearly that they are in error taking one kind of Goods for another, and in the first instance stating that the ship had landed 169 packages dutiable goods more than were entered when on reference to their own Books it is found that the total excess was only 140 packages, and as can now be shown that they were personal Stores belonging to the Captain.

Heretofore the Customs Officers have been lax,

been lax, and Stores not paying duty it was considered unnecessary to be very particular about giving a strict account and this has caused the omission to enter them in the present case. Notwithstanding this previous laxity however, I should if you had required it have felt it my duty to fine the Captain of the Ship for his omission, had the Complaint on the part of the Customs officers simply stated that 40 packages (instead of 169) in excess of the entry had been landed. As it now stands the error of the Customs officers is as great as the Captain's, and it is not therefore proper to fine him, unless they are also punished. Hereafter I shall inform the Merchants that all Stores not duly entered in the Manifest will be liable to seizure in accordance with the Treaty and Regulations.

The Customs officers are at liberty to go to Messrs Smith Tb's godowns, and examine the Drills and Sheetings to see that they agree with the Manifest, and also to examine the personal Stores, at any time you may appoint.

With reference to what I said

on the

on the subject of $10000 being forfeited if the "Roman" was detained beyond the 20th, I have now to state that you would be responsible in that case; and for the future I must beg it to be distinctly understood, and hereby give you notice that if vessels under the United States Flag are detained on accusation of smuggling; which afterwards proves unfounded, I shall look to you and the Chinese Government for reimbursement of all reasonable charges of demurrage, loss of Markets &c. and if needed deduct the said charges from the duties justly due.

If some measure of this sort is not adopted, and understood, frequent detention of vessels, or unfounded charges might ensue, and malicious persons would have it in their power at any time to delay vessels, so that their own might arrive first, simply by laying information when there was no good ground. If a charge of smuggling is proved to be true the vessel is liable to fine, and the property to confiscation, and on the other hand, if the vessel, and property are detained on an unfounded charge, and thus loss of time and market ensues, the owners must be indemnified for the loss,

the loss to I can have no one to look to, but to the Chinese Government who Cause the detention through Your Excellency

In order to make the merchants more careful in their entries, I shall hereafter Enact a Regulation requiring a fee of $25 for all amendments to Manifests after the papers have gone in to Your Excellency - after a complaint has been entered through you against the ship, and the error is proved to have arisen from inadvertance or inattention of the merchant; a fee of $150 will be levied to recompense me for trouble, and loss of time in Corresponding with you on the subject, and clearing the ship. If smuggling is proved then of course the goods will be liable to confiscation, and the ship subjected to a fine at your & my discretion, in accordance with previous precedents of ships of other Nations

Should the Customs Officers in the other land, enter frivolous complaints against vessels of the United States, which on examination are proved to be unfounded and that the ship has actually manifested all the goods landed, I shall require a fee of $50 to be levied upon them, and paid to me for my trouble in examining the case and Corresponding with you on the subject.

United States Consulate
Shanghae July 21st 1857 (signed) Hen: A. Aleop Griswold

True Copies
(signed) P. Loureiro Jr.

No. 1. Translation With Mr. Parker's No 23

Government of the Province
of Macao Timor & Solor

General Department.
No 45.

Most Illustrious and most
Excellent Sir,

I have the honor to advise
your Excellency that Her most
Faithful Majesty having bestowed
upon me Her Royal confidence in
appointing me governor of this Province,
I have been inaugurated accordingly
on the 19th instant. By this opportunity
I have the pleasure of tendering my
best services to your Excellency in every
way that your Excellency may see fit
to call for, on behalf of the government
which your Excellency worthily represents
in China.

God Preserve your Excellency.

Macao 20th December 1851.

The most Illustrious and most Excellent
Peter Parker, United States Commissioner
in China. (signed) Isidoro G. Guimarães Jr

No. 2.

Legation of the United States
Canton 2 Dec. 1857

His Excellency
J. P. Guimarães Jr.
Governor of the Province of
Macao, Timor & Solor.

Sir,

I have the honor to acknowledge the receipt of your Excellency's despatch of the 20th ultimo, informing me of your Excellency's accession to the office of Governor of the Province of Macao, Timor & Solor, on the 19th Nov. through the Royal Confidence bestowed upon your Excellency by Her Most Faithful Majesty, Queen of Portugal, & the same time tendering your Excellency's kind offices to the Government of the United States in China.

Your Excellency will please accept the assurance of the fullest reciprocity of those friendly sentiments on the part of the Government I have the honor to represent.

My best wishes for the prosperity of the Province of Macao under your

Excellency's most obedt servant

I have the honor to remain

Sir

Your Excellency's

Most Obedt Servant

Peter Parker

No. 3.

Legation of the United States
Canton 1st Jan.y 1841.

Sir,

The Undersigned Charge d'Affairs, ad interim, of the United States of America to China, has the honor to inform your Excellencies that Charles W.m Bradley Esq. Consul of the United States at Amoy being about to return to America, Charles W.m Bradley Jr. has been appointed Vice Consul for said port during his absence; and, as he assures him, the Undersigned requests, your Excellencies will duly inform the local authorities of Amoy and that the correspondence be common and the transaction of public affairs equitable and just between the local authorities and said Vice Consul.

The Undersigned avails himself of this opportunity of renewing to your Excellencies his high regards and has the honor to remain,

Sirs,

your very Obd.t Servant

(L. S.)

Peter Parker.

To Hon. England High Commissioner

& & & and

Gen, Governor of Canton & & &.

No. 4.

Sec. Imperial Commissioner &c. &c. &c.
and Gen. Governor of Canton &c. &c. &c.
have the honor to acknowledge the
receipt on the 8th inst. of the Honble.
Vice Commissioner's despatch (of the
1st inst.) by which we are informed
that Charles W.m Bradley, Consul at
Amoy, being about to return to
America, Charles W.m Bradley Jr.
has been appointed Vice Consul, and
we beg leave to transmit our injunc-
tions to the local authorities of the
said place, according to usage, in
everything still to conform to the
Treaty, of which the Hon.e Vice Com-
missioner may inform the said
Vice Consul.

As requisite we make this reply
and avail ourselves of the occasion
to present the compliments of the
season &c.

The foregoing communication is
addressed to Peter Parker Esq.re
U.S. Chinese ad interim of the United
States of America to China.

Dec.r 7th 1st yr. 9 m. 18 days (10 Nov. 1851)

No. 5.

No. 42.

United States Consulate Amoy.
14th November, 1851.

Sir.

I have the honor to acknowledge receipt of your two despatches dated 12th September, the one having reference to Regulations for Officers and Seamen, &c, and the other to a condition of lawful aid to such subjects of His Imperial Majesty of Russia as may visit this port.

With regard to the last named, I respectfully ask your further instructions; since as there exists a question with regard to the right of Russia to a maritime commerce with China, I am unable to decide on the nature or the degree of assistance or protection which may be required at my hands, under the circumstances indicated.

With the highest respect
I have, Sir, the honor to be
Your most obedient Servant
C. W.m Bradley, Jr.
U. S. Vice Consul in Charge.

The Hon.ble Chev.r Peter Parker M. D.
Chargé d' Affaires ad interim.

No. 6.

No. 43.

United States Consulate Amoy
4th November, 1851.

Sir,

I have the honor to acknowledge the receipt of a circular from the Legation of the United States in China, together with sundry copies of its correspondence with the Commissioner of the Imperial Government, relating to the exportation of Rice and other Grains.

At present there are no merchants of the United States resident at this port, but should the contingency for which you have provided occur, your instructions shall be carefully regarded.

I have the honor to be
Sir,
Your Most Obedient Servant
C. W. Bradley, Jr.
U. S. Vice Consul in Charge

The Hon. Rev. Peter Parker M. D.
Chargé d'Affaires ad interim.

No. 7.

Sir, Empire High Commissioner and Plenipotentiary &c &c &c

I have the honor to make this communication.

The Hong received a Despatch from the Governor General of the two Provinces of Kiah Keen & the Heang in which he represents that "Heang Ching Chei" Taotai of Hing Keen Heang in the Province of Kiah Keen, had represented to him that in the months of June & July last, several times some Englishmen and also Bradley (U.S.) Consul, together with a Linguist Lin Hing Chow, had repaired to Heang Chow on an excursion, and using a coal measured the wall of the city, — that at the time the Taotai addressed Sullivan the English Consul at Amoy, requesting him in conformity to the Treaty to prohibit and put a stop to these excursions, and, moreover, he requested him (the Governor General) to send a Despatch to Canton requesting an address to the Envoys of the different nations that they one and all make investigation

and

and prohibit these expressions; that the two replies he had received from the Consul Sullivan in which he contended that an expression to Chang Chow was not a violation of the Treaty, & still more he quoted all the articles of the Treaty, he the Taotai) had formerly presented, and pretended to controvert them;- and, as was right, he had copied his communications first & last, together with the Consul Sullivan's two replies and sent them up to him (the Governor General) requesting him to send a despatch to Canton to have the subject investigated and disposed of &c. (Whereupon His Excellency adds) This coming before me the Governor General, as is right I transmit a copy of the said Taotai's copies of his three communications, and said Consul's two replies that you (the Imperial Commissioner & Governor) may investigate and find according to any former & present despatches, and trust that you will immediately address the Envoys of the

different

different nations, that they issue their
subsequent injunctions to the boards
at each post that hereafter it is
absolutely requisite that each ad-
here to the treaty, and not again
presume to enter the interior on
excursions in contravention of
established rules; and I pray you
will apply to the governor of Darkstein
informing him of the manner in
which the subject is disposed of &c.
Appended are copies of the fine Re-
gulations presented by the Chevalier of
Bing Jum Gung."

This coming before us the Ministe-
rial assembly, we have examined & find
that foreigners at the present five free
ports, are only allowed to reside at
the free ports & to pass & repass
from one port to another, and are
not permitted to make excursions
into the interior, all of which is
clearly contained in each of the formerly
settled treaties, but it appears on exam-
ination that the City of Chang Chow foo
is very remote from Amoy, & is not a

free

Peo port, and the said Consul & Others, several times taking an excursion thither is truly a violation of the established Treaties.

On perusal and examination of the communications of said Consulee, Wang Tung Shei, to the Consul Sullivan calling upon him to investigate the subject & prohibit excursions into the interior, it appears he has been upon in that conformity to the Treaty, but the Consul Sullivan has only a taste for specious controversy, and does not adhere to the established Treaty.

If we do not strictly maintain the Treaty and efficiently prohibit (excursions into the interior) there will inevitably assuredly arise germs of future trouble, therefore as before we address the Hon. Commissioner, that he may examine and fully accordingly, and request him immediately to issue stringent injunctions to said Consul that in the future strictly maintain the Treaty & that there be

no

no more presumptuous aggressions into the interior in violation of established rules, in order to avoid the generation of seeds of discord, which is of the utmost importance.

It requisite me make this communication and avail ourselves of the occasion to present the compliments of the season &c.

The foregoing communication is addressed to Peter Parker, Chargé d'affaires, ad interim, of the United States of America to China.

Done Forty Eighth year 10th Month 8th day
(11th. 1854)

No. 8.

Legation of the United States
Canton, 18th Dec. 1851

Sir,

The Undersigned Chargé d'Affaires ad interim of the United States of America to China, has the honor to acknowledge the receipt of your Excellencies despatch of the 11th inst, relative to E. W. Bradley's Esq, United States Consul at Amoy, and others, taking excursions to Chang Chow Foo, and measuring the walls of the City &c.

The Undersigned is well aware that it has been definitely settled that citizens of the United States at the Five ports are only permitted to go the distance of one days journey in their excursions.

Whether Chang Chow Foo comes within that limit from the port of Amoy, he is not fully informed. As to measuring the city walls, the Undersigned is confident there was no evil intention in so doing, it being the custom of foreigners to measure the different places they visit in foreign countries, for

H. E. Yeh, Imp. Com. Deputy Comm. &c. &c. &c.

the information of those who do not visit them, yet in the present instance to measure the city gates was unnecessary and improper as it was calculated to excite the suspicions of the Enemy.

As between him, the Undersigned, will again issue his strictest injunctions that the Officers and Soldiers of the United States Army, each carefully conform to the established regulations, in order to the maintenance of a good understanding.

With the assurance of his high consideration, the Undersigned has the honor to remain,

Sir,

Your Excellencies

Obedient Servant

Peter Parker

L.S.

No. 9.

United States Consulate
Shanghai October 20th 1851.

Rev. Peter Parker
Chargé d'Affaires ad interim
of the United States
Canton.

Sir,

I have the honor to acknowledge receipt of your despatch of 22d September with Enclosures, and have made myself fully acquainted with their contents.

With reference to my notification of the 26th July, regarding fees that would be levied for amendments to Manifests, proving out of carelessness or inadvertance of Consignees, I have to state that the grounds and intention of the notification in question was not to screen parties from the penalties provided by Treaty, in any attempt at deliberate fraud or evasion of the legal duties, nor on the other hand was it intended to be levied upon innocent parties whose errors arose from causes beyond their control; but simply to force Consignees of American vessels to exercise the same degree of caution, and care in making up their entries at this port, that they would do in any European, or home port where vessels are not entered through the intervention of a Consul. From the laxness of the Chinese Customs Officers in Shanghai during a series of years, the handing in of a manifest had come to be considered a matter of mere form, rather than reality,

and

and Consignees felt themselves free to make up any loose accounts with the liberty of amending it from time to time at their convenience. So long as the Chinese continued lax, these amendments caused little trouble; the explanations offered by the Merchants through me being readily accepted, but after more stringent rules were adopted for the collection of the revenue, the same errors inadvertent though they were, became the source of great annoyance and trouble to me necessitating as they did lengthy correspondence with the Chinese Authorities on the subject, & also permitting the confiscation of goods, and detention of vessels in cases where I was persuaded from the proof adduced that no intention to smuggle existed tho there had unquestionably been gross negligence on the part of Consignees. The latter course (permitting goods to be confiscated) would at once have placed our vessels on an inferior footing to the English who with a Consul, a Vice Consul Interpreter, & two assistants all receiving large salaries, and having as their remuneration but Consular duties; there could be no objection to rectifying and explaining such errors; though it might occupy them for days together.

I am well aware that the Consular instructions specify what fees may be levied for particular & enumerated services, and for which the ships papers may be detained; but the chapter for quote (vide Art 8th) Also

Charter

state," That if American citizens or others require other than the enumerated services, they may be charged at the rate allowed to Notaries in the same place, for the same services." The only question then is what would a Notary charge for such services and in the absence of any such information I think I am quite entitled to estimate the value of my time and services in doing that which would be entirely unnecessary if Foreigners paid common attention to their own business and did not call upon Consuls to do that for them which properly belongs to their Custom House Clerk. It was never my intention to retain the Ships papers for the encouragement of the fee; but simply to decline rendering the service until the fee was paid, leaving the Consignees if they saw fit to make the best arrangement they could either with the Custom House, or by petitioning the Chinese Authorities which they had always the power to do through the respective Consuls.

It is hardly necessary for me to say that I have always been prepared to make a distinction between cases arising from cases which the consignees could not control, and the passing out of simple negligence, and in general of the first named cases that have occurred, no fee has been asked for. When wrongful is proved I should have no power as I certainly have no disposition to screen the offenders and the causes

of

of the Treaty providing Confiscation and fine would take their course.

To elucidate the state of Cases more fully I now enclose copies of letters addressed by me to the Consular regarding errors in the entry of the ships "Oriental" & "Roman", both of which occurred but prior to the issue of the Notification in question. I propose to add that both of these vessels were consigned to English houses, who being accustomed to call for the services of their own paid officials in like cases brought no doubt that they had a right to my services in rectifying errors arising from their own gross carelessness, and would have continued of the same opinion and practice, had they not been notified that a fee would be asked in any future Cases.

A perusal of the Correspondence bearing in mind that it occurred at the busiest season of the year when my time was most valuable: that the necessity of my intervention was immediate, the vessels being under Charter to sail by a certain day: & that all the communications with & from the Consular had to be translated by myself through the intervention of an ordinary Canton Linguist who could or more read English than I, thereby occupying my entire time for the better part of three days for each vessel; will lead you I trust to agree with me in the opinion that under the Article of Convention instructions I have quoted, I am entitled in future cases to decline rendering the service or to charge a fee for my

time

time and trouble. As U.S. Consul in China under the Treaty of Tientsin I conceive that I am bound to forward this to the Chinese Authorities the Manifests of vessels as furnished by Consignees; but if those in their own care Express they get into difficulties with the Custom House, I am not called upon to enter into a long investigation and correspondence to explain this more without being remunerated for my services.

The fee was purposely made high in order that there might be the less frequent occasion for its being and thus far it has answered this intention as only in one instance, and then for the smallest amount, has it been levied. The proceeds of such fees I had intended and do intend (privately) should be devoted to any local Charitable institution, my object being not to appropriate the amounts to my own profit; but simply by means of this method to render parties more cautious and less troublesome to me in this Custom House business.

With these explanations I leave the subject for the present & shall defer issuing any counter notification made as you request until I hear from you again.

Should you positively require me to withdraw the notification, I must respectfully state my determination to accompany such withdrawal that in any future

cases

of erroneous Manifests I shall not interfere, and that the penalties for smuggling must take their course whether the errors arise from inadvertance or intention.

I would rather resign the Chair than my time occupied with cases like the "Oriental" & "Oman", as I am convinced it is contrary to what the rules were penalty is provided.

With reference to my communication of the 21st June to the Consular Mission regarding the report of Grain, and your queries as to whether any American vessel was loaded at Shanghai during the month of June or July with Chinese grain I have to state that the opinion expressed in the communication alluded to was a mere opinion founded on unofficial information, and the absence of any proof to the contrary that the grain to which the Consular referred as shipped from Shanghai was only a small quantity and that for any vessel in this neighbourhood loading with grain it was taken through the interior to a point beyond the limits of this port and without any jurisdiction; though quite within the jurisdiction of the Chinese authorities to stop & seize the grain in transit had they felt so disposed. On the point of an American vessel being loaded with Chinese grain during the months you name I have only to say that subsequent to my communication to the Consular of the 21st April no American vessel either in this port or whose papers were lodged in my hands

cleared

loaded with Chinese grain either in whole or part. Whether any such vessel loaded at Wenzoo which is the station of the Spanish vessels near this place, I had neither the official means of ascertaining and in the absence of any complaint on the part of the Chinese Authorities of such being the case it was not my duty to enquire. Had they complained to me, I would have referred to the XXXIII Article of the Treaty and left them to deal with any such vessel clandestinely loading, as they saw fit in the absence of any U.S. Ships of War, I having no power over vessels without the limits of the Port, and when papers are not deposited in my hands whether dealing in Grain or Opium.

As regards that paragraph in my despatch to the Consular stating that he would be at liberty to punish any parties found exporting grain," I beg to say that partly as you suppose, the translation has mistaken, or rather obscurely expressed my meaning. I referred of course to Chinese found exporting it to foreign vessels as liable to punishment, and the Grain likely to seizure, it not being likely that American citizens would be found directly engaged in its shipment.

My whole course while in office will warrant you in believing that I am not disposed to resign into Chinese hands any of the jurisdiction over U.S. citizens vested in us by Treaty.

The

The want of an Interpreter has certainly been much felt here, and has often occasions obstruction to Communicating with the Authorities. I called the attention of the Secretary of State to the subject in a Dispatch dated March 28th 1854. to which no reply being made I am forced to conclude that the Government is averse to allowing the necessary expense, and means us to manage in the best way we can without such assistance.

I now adopt the system of attaching English copies to all my communications to the Authorities and as I have told them do not hold myself responsible for the correctness of the Chinese translation.

I have the honor
to remain
Sir,
With great respect
Your Obedient Servant
(Signed) Jno. W. Macy Feswold

No. 10

Consul by the Supreme Executive Authority of the United States, Consul at Shanghai, makes this communication to the Frontier.

I yesterday received your communication relating to the discrepancy between the inward manifest, and goods landed from the United States ship "Circular" (Here follows copy of Frontier communication) Immediately notice was sent to the consignees Lindsay & Co. who returned a new manifest, and stated that they had inadvertently omitted to enter 5 Bales Chintz. Seeing that this Manifest as so amended, did not agree with the account given by the Custom House, I ordered the Captain to hand in copies of Bills of Lading for all the cargo on board when the Ship entered the Port, and to state under oath that they contained a true account of all the merchandize discharged at Shanghai.

Cir

comparing the Bills of Lading to Lewis with Lindsay & Co's Amended Manifest, I find that the total number of packages of piece goods and Yarns agree; being 120 packages Woollens, 5 bales Shirts, 23 packages personal Cases, together 148 packages 53 Bundles Canton Matting, 19 Bundles Tea papers.

On enquiring of Lindsay & Co how such numerous errors in entry occurred, this being the second amendment to the Manifest, they state that the Woollens had before paid duty at Canton; the 120 Bales being contained in 30 large Bales, that in this first entry it was their intention to enter them in accordance with the Canton duty receipt as 30 Bales; but their Clerk in the Manifest made the figure 3 look like 8, and they were by mistake entered as 80 Bales. They hold a Canton duty receipt for 30 Large Bales 3240 Chaugs, which they say is equivalent to the contents of the 120 small Bales. The 5 cases Shirts they say were accidentally omitted

ted, and the amount of duty upon them being so small, say only $25. I am inclined to think the error has arisen from inadvertance rather than from any intention to smuggle.

I now beg to send you new inward manifest for the ships, and being confident that the omission of the 5 bales Shirts was accidental, hope you will overlook it and accept the amended entry.

The Custom House officers, have apparently mistaken some of the packages Wool for Shirtings, and the account now given by Lindsay & Co of the packages Woollens, Cotton and Yarns, is larger than the officers have reported as landed from the Ship.

United States Consulate
Shanghae 5th July, 51

Signed Jno R. A Dissosway.

Dissosway to a a
To the Secretary of

I have received your communication

Yours dated yesterday replying to mine of July 5th regarding the Amendments to Manifest of the Ship "Oriental," and notice that you are willing to accept Lindsay & Co's amendment so far as regards the errors in the entry of Bottles, 6 Cases; but you require when are the grey & white Shirtings reported by the Custom House Officers, and request me to examine about them.

In reply I have to state that my communication of the 5th inst on this subject informed you that I had examined the Captain on oath, and made him produce copies of his Bills of Lading for all the cargo brought into Port, and I found that there were no grey or white shirtings as per the Bills of Lading agreeing with Lindsay & Co's amendment of manifest, as regards all the piece goods, and personal stores, which is the only complaint entered.

As I then told you the Custom House officers have no doubt mistaken the

Bales

Bales of Stores, Containing Canvas for
Awnings, and that the same have since
also been placed to account of
"Oriental" goods coming from other
vessels.

As your Excellency has in your
Communication just received, agreed
to overlook the small error in the
entry of Woollen & Shirts, and upon
satisfactory proof being adduced that
no Awnings, as alleged by the
Custom House, have been landed
from the Ship, I have to request that
you give orders at the Custom House
for the clearance of the Ship without
further delay, and return the original
documents Manifest to me.

United States Consulate)
Hong Kong. July 8th 1854 } I have
&c &c &c

Jno. R. Abeel jr Consul.

Griswold &c &c &c

To the Collector Thier

I have received your Communication of today stating that the U States Ship Roman has landed 139 Bales Drills, 12 Bales Canvas, and 18 Bales Spanish Wines more than were entered, and requesting me to deal with the case as one of smuggling, according to regulations.

I have accordingly called upon the Captain to produce his Bills of Lading and verify upon oath that they contain a true account of all the goods landed at this Port. This being done, I find that the Bills of Lading agree with the manifest and that no more goods liable to duties were brought into port, than were contained in the said manifest.

I also sent to the Custom House and obtained their book in which the goods were entered as landed day by day, and on examination find that they have entered them

489 Bales. Drills, 9 Bales. Sheetings, 63 Bales
Long Ells, 91 Bales Woollens, 144 Cases
White Shirtings, 10 Cases Velvets, 22 Cases
Camlets and 20 Cases Shirts.
The Manifest shews 361 Bales Drills,
131 Bales Sheetings, 85 Bales Long Ells, 72
Bales Woollens. 60 Cases White Shirtings
10 Cases Velvets, 20 Camlets. It
therefore appears that while the Custom
House report 39 Bales Drills, 18 Bales
Woollens & 12 Bales Camlets, they have
no account of 121 Bales Sheetings 22 Bales
Long Ells, 6 Cases White Shirtings and it
is quite evident that they have
mistaken Sheetings for Drills, Long
Ells & White Shirtings for Woollens and
Camlets, and that the total of cases of
41 packages arises from stores belonging
to the Captain, which the Officers have
suppose, to be Shirts & Camlets.

I have therefore, after a full
examination of the case, come to
the conclusion that there has been
no attempt at smuggling, and
that the complaint has arisen
solely from the indolence of the

Custom

Customs Officers, who do not take the trouble properly to examine the goods as landed, & thus cause much less annoyance & waste of time to your Excellency & myself.

Their carelessness is caused by the fact of their making the foregoing mistakes, and that they allowed Messrs Smith & Co to pass goods as 1950 feet, which in reality contained 3250 ft, the real duties upon which are only collected by Messrs Smith & Co's honesty in coming forward & giving the true amount, after the Customs officers had actually agreed with them at 1950 ft.

In future cases of frivolous and unfounded complaints like the present arising from the carelessness of the Customs officers, I shall call upon your Excellency to punish them, — While always ready to examine into, and punish any real cases of smuggling that may be proved against vessels of the U.S. my time is too valuable

humble he is wasted in entertaining such idle complaints as the present one appears to be.

The officers now brings past piracy and unfounded cases against U.S. vessels and take no notice of of smuggling to a large extent that is going on in vessels of other nations.

Having as above stated examined into the case, and finding there has been no attempt to smuggle, and the ship being now ready to clear at the custom House, I have to request that you will make the necessary preparation to grant her grand ship tomorrow.

The consignee having engaged with the shipper, that she shall sail by the 20th a forfeit of upwards of $10.00 will be if she is detained beyond that date.

United States Consulate
Shanghae July 18th 1854

Signed Wm B. Alexander Transmitted

Grimsdale & Co Lt

To the Secretary

I have received your letter of the 19th inst replying to mine of the 18th on the alleged smuggling by the ship Woman.

In reply I beg to state that it is the business of the Custom House officers to examine the cargo as landed, and not depend upon the merchants Account. In the present case the merchants entered 52 cases white Shirtings, 132 Bales Shirtings, & 85 Bales Long Ells, which I have found on comparison with the Bills of Lading to be correct, while the Custom House officers have only an account of 144 Bales white Shirtings, 9 Bales Shirtings & 63 Bales Long Ells and have made the Bills of Lens & Bundle as much in excess. This shews clearly that they are in error, taking one kind of goods for another, and in the last instance taking that the ship had landed 165 packages dutiable goods more than was

were entered when on reference to their own Books is found that the total Cases was only 41 packages; and as Can now be shown that they were personal Ware belonging to the Captain.

Here the Customs Officers have been, and Goods not paying duty it was considered necessary to be very particular about giving a short account, and this has caused the Omission to enter them in the present Case. We will turn in this Case quickly however, I should if you had required it have left it my duty to fine the Captain of the Ship for the omission, but the complaint on the part of the Customs Officers simply stated that 40 packages, instead of 169 in Cases of the entry, had been landed. As it now stands the error of the Customs Officers is as great as the Captains, and it is not therefore proper to fine him, unless they are also punished. Hereafter I shall inform the merchants that all Goods not duly entered on the manifest will

&c

be liable to Seizure, in accordance with the Treaty & Regulations.

The Customs Officers are at liberty to go to Messrs Smith & Co's Godowns, and Examine the Bills, and Shackings to see that they agree with the Manifest, and also to examine the Vessels Stores, at any time you may appoint.

With reference to what I said on the subject of $11.500 being forfeited if the "Roman" was detained beyond the 28th. I have now to state that you would be responsible in that case, and for the future I must beg it to be distinctly understood, and hereby give you notice that if vessels under the United States Flag are detained on accusation of Smuggling; which after wards proves unfounded, I shall look to you & the Chinese Government for reimbursement of all reasonable charges of demurage, loss & incidental, and if needful deduct the said charges from the duties justly due.

If some measure of the sort is not

not adopted, and understood, frequent detention of vessels on unfounded charges might ensue, and malicious persons would have it in their power at any time to delay vessels so that their own might arrive first, simply by giving information when there was no cause for it. If a charge of smuggling is proved to be true the vessel is liable to fine, and the property to confiscation and on the other hand, if the vessel and property is detained on an unfounded charge, and thus loss of time and market ensues, the Owners should be indemnified for the loss & I can know no one to look to, but to the Chinese Government who cause the detention through your Excellency.

In order to make the merchants more careful in their entries, I shall hereafter enact a regulation requiring a fee of $.25 for all amendments to manifests after the papers are gone in to your Excellency. — After a complaint has been entered through you

you against the ship, and the crew is proved to have been free from inadvertance or inattention of the master, a fee of $15 will be levied to recompense me for the trouble, and loss of time in corresponding with you on the subject, and clearing the ship. If smuggling is proved to have been the goods will be liable to confiscation, and the ship subjected to a fine at from 1 my discretion, in accordance with previous precedents of ships of other nations.

Should the Customs Officers on the other hand, enter frivolous complaints against vessels of the United States, which on examination are proved to be unfounded, and that the ship has already manifested all the goods landed, I shall require a fee of $5 to be levied upon them, and paid to me for my trouble in examining the Acts, and corresponding with you on the subject.

I have

Mobile Ala. Consulate

Steamer Ala July 21st 1854

Send Sec. of State Received.

Sir

Respectfully

P. Londera

No. 11. Cooke

United States Consulate,
Shanghai 8 December 29th 1851.

Hon'ble Peter Parker,
Chargé d'Affaires ad interim of the
United States,
Canton.

Sir,

Referring to that portion of my dispatch of the 6th October last, which related to the necessity of one of our vessels of war visiting this port, I have now to state, that the number of American vessels that have lately, and are likely for some time to come, to arrive from California renders it imperatively necessary that some force should be stationed here without further delay for the control of their crews.

Two vessels have arrived here within a few days with upwards of 40 men shipped by the law, to demand their discharge. This I have of course refused as being contrary to the Laws of the United States, which prohibit the discharge of seamen in a foreign port, but I cannot prevent their leaving the ship, and the above number are now on shore liable in any moment of intoxication or excitement to commit outrages, among the natives, that may

may lead to serious, and deplorable results, without my having any physical force to awe or punish them.

As you are well aware the Chinese Police or Military (more powerful than as Coolies) are entirely useless to act in any emergency against Foreign Sailors of whom they stand in great dread, and I fully believe, that the number now on shore, would successfully defy any force that the Chinese could bring to restrain them.

I have therefore respectfully to ask that you will at once represent the State of the Case to the Senior Officer of the United States Naval force, and to urge upon him the necessity of one of our Men of War being sent here to remain in the port while there is a likelyhood of Continued arrivals from California, with Crews in this present disorganized State.

By the present mail I have addressed the Secretary of State at length upon this Subject, and asked that suitable orders be sent to the Commander of the East India Squadron for the purpose.

I have the honor to be
Sir. Respectfully
Your Obt Servant.

(Signed)

Jno N. Olsop Gridley

No. 12.

Legation of the United States.
Canton 15th Dec. 1851

Sir.

Your despatch of the 27th Oct. with its endorsements has been received. From this communication it appears the object of fees for amendment of Manifests as published in your notification of the 26th July, was "simply to force consignees of American vessels to exercise the same degree of caution & care in making up their entries at that port, that they would in any European or Home port" That your object was not to appropriate the amounts to your own profit; but simply by means of this method to render parties more cautious and less troublesome to you in this Custom House business. And referring to the cases of the "Oriental" and "Roman," you express the conviction that similar ones would occur from time "unless some penalty is provided."

From a careful examination of this subject, and particularly of your correspondence relative to the manifests of the "Oriental" and "Roman," it is manifest you have just ground of complaint for the negligence they evince and the consequent demands upon your time

and

and attention, and if in your notification of the 26th July, you had distinctly defined your object as you mean in your present despatch, and instead of "fee" had inserted "fine at the discretion of the Consul" the measure had been by persons not justifiable.

Still this modification, and erasing the words "a mal-treatment", the said Notifications may remain in full force.

Anticipating your early arrival in Canton, I defer further reference to the remaining topic of your despatch, to that period.

Your despatch of the 29th Ultimo was received on the 13th inst, and the urgent necessity set forth therein for a Government vessel at your port was instantly communicated to Capt R.H. Bethell, Senior officer commanding the East Indian Squadron, although I am happy to inform you, that officer had previous to receipt of this despatch, determined upon early visiting Hong-Kong and other ports with the "Sulphur", the vessel under his immediate command, and, as he now informs me, he will sail immediately after the arrival of the mail now hourly expected.

9

I have the honor to remain
Sir,
Respectfully
Your Obedient Servant

Peter Parker.

Geo. W. Woodward Esq
United States Consul
San Juan.

No. 13

Legation of the United States
Canton 2 December 1854.

Sir

Referring to the interviews we have had at Macao, contemplating the early departure from this port of China of the United States vessels under your command, I have to state that since my return to Canton, I have instituted careful inquiry both among our countrymen & the Chinese, relative to the revolutionary movement in this & the adjoining provinces, and it is generally understood that the insurrectionists are within one or two days march of this city. The opinion is becoming more decided that a general revolution in the government of the country is contemplated. To the inquiry "when are these disturbances to end?" the reply of an intelligent Chinese was, "When the Ta Tsing Dynasty has passed away!" Do you really think so? "I do not think, but know!"

was

the ready answer, & he further remarked, the sentiments he expressed are entertained by many Chiefs. Several representations have come to my knowledge confirmatory of the possible correctness of these views.

In the present unsettled state of these provinces, & of the public mind, I think it would be impolitic for both the vessels under your command to be absent from this port, & should you on receipt of this communication, concur in this opinion I suggest the expediency of the presence of either the "Saratoga" or the "Marion" at Wiampoa.

The early departure of the enemy boat precludes my adding more at this time.

With sentiments of high regard,
I have the honor to be
Sir,
Your obedient Servant
Peter Parker

Capt W. L. Walker
Senr Commanding Officer
of East Indian Squadron.

No. 14.

Legation of the United States,
Canton 4th Dec. 1857.

Sir,

It was with much satisfaction I learned from you when recently at Macao that you contemplated visiting the northern ports. In a late dispatch from our Consul at Shanghai he has represented in strong terms the desirableness of a visit from one of our government vessels to that port and I should at once have communicated with you upon the subject, but for the apprehension that under the expectation of the early arrival of Commodore Aulick, you might deem it a duty to await his arrival. Under the existing uncertainty of the time of the Commodore's reaching China, I would you decide in the meantime, to visit the northern ports, Shanghai and Ningpo in particular, with one of the vessels under your command, you will be rendering your government important service by so doing.

In accordance with your request I herewith transmit an introductory note to the Local Authorities of the four northern ports of China, Original

and

and translation, to be presented as soon according as you may judge best on arrival at the respective ports.

I remain, &c.

Very Respectfully
Your Obt. Servt.

Peter Parker.

Capt. W. S. Walker,
Senior Officer, Commanding
U.S. Squadron in the East Indies.

U.S.S. "Saratoga"
Macao Roads.

No. 15.

Legation of the United States
Canton 3d December 1851.

To the Local Authorities
of the Ports of Shanghae, Ningpo,
Fuh Chow and Amoy.

Sirs,

The Undersigned Chargé d'
Affaires, ad interim, of the United
States of America to China, has the
honor to address your Excellencies, &
to state, that whereas Capt W. L.
Walker, Senior Officer in command
of the United States naval forces in
the waters of China, is about to visit
your respective ports in the U.S. Ships
"Saratoga" with a view to look after
the commercial interests of the United
States, and to promote friendly feeling,
now happily existing between the two
governments; and the said officer
thoroughly understanding the desire
of the government of the United
States to maintain a good correspon-
dence with your Honorable country, whilst

desirous

desirous to ascertain that there are no violations of the Treaty on the part of the Chinese, he will be equally desirous to find that the same be carefully adhered to by citizens of the United States; The Undersigned therefore avails himself of this medium of commending this officer to the courtesies and hospitality of your Excellencies, such as would be freely accorded to a Naval officer of China visiting any of the ports of the United States.

The Undersigned presents to your Excellencies the assurance of his distinguished consideration, and has the honor to be,

Sirs,

your Excellencies'

Obedient Servant

Peter Parker,

L. S.

No. 16

U. S. Ship Saratoga
Whampoa Reach
Dec. 1. 1851.

Sir,

I have the honor to acknowledge the receipt of your communication of the 2d inst, in which you state that since your return to Canton you have instituted careful inquiry with regard to the revolutionary movements now taking place in that and the adjoining provinces, and find it generally understood that the insurrectionists are within one or two days march of that city: suggesting, also, that in the present unsettled state of those provinces, and of the public mind, it would be impolitic for both the vessels under my command to be absent from this point.

I fully concur in your opinion as to the expediency of one of the ships of the squadron being present at Whampoa during this crisis and I also deem it important that under all circumstances, at least one United States vessel

of

of war should be always within a few days communication with Canton.

I have anchored the Saratoga in Johnsons Reach, near the American shipping, and shall myself take an early opportunity of visiting Canton

I am Sir,

Very respectfully

Your Obdt Servt

(signed) W.S. Walker

Commander

and Senior Officer

East Indies Squadron

Hon: Peter Parker

U.S. Chargé d'affaires in China

Canton.

No. 17

Legation of the United States
Canton 13th Dec. 1854.

Sir,

I deem it proper to transmit you, without delay, the accompanying extract from a despatch of the 29th ultimo just received from J. W. A. Griswold Esq, our Consul at Shanghai, in which he represents the imperative necessity for a government vessel at that port.

This I do with the more pleasure, knowing you have already determined upon early visiting Shanghai & other ports with one of the vessels under your command.

With renewed assurance of my high regards, I have the honor to remain, Sir,

Respectfully

your Obedient Servant

Peter Parker

Capt W. L. Walker Commander
and Senior Officer East India Squadron.
U. S. S. Saratoga
Whampoa.

Extract.

Extract.

(The entire dispatch of the 29th Ult. omitting last para-graph, q. v.)

No. 18.

U. S. Ship Saratoga

Mazatlan

Dec 6. 1861

Sir,

I have the honor to acknowledge the receipt of your communication of the 13th inst, enclosing for perusal a despatch of the 27th ult, from the Consul of the United States at Mazatlan and I thank you for the information it contains.

I am more than ever convinced of the perfect propriety and expediency of my fixed determination to visit Mazatlan with one of the vessels of this Squadron - And since the "Marion" seems not to be in all respects prepared for the cruise, I shall undertake it in the "Saratoga" under my immediate command. In that event I shall direct the "Marion" to proceed to this place and remain here until further orders. It is my intention to sail soon after the arrival of the mail.

With sentiments of the highest respect, I am Sir,

Your

Very Respectfully

Your Obdt Servant

(Signed) W Walker

Commander

and Senior Officer

East Indies Squadron

Hon: Peter Parker

U. S. Chargé d'Affaires

Canton

China.

No. 19

U.S.S. Marion

American Vessels Panama

2d Decembr 1857

Sir,

I have the honor to inform you of the arrival of the U.S.S. Marion, under my command, at this anchorage, for the protection purpose of affording protection to American interests in this vicinity.

Should there be in your opinion, any occasion for my interference, I beg to request that you will have the goodness to give me timely notice of such necessity.

I am Sir,

Very Respectfully

Your Obdt Servt

Signed W. M. Kendy

Commander

To,

Hon Peter Parker

Chargé d'Affaires

U.S. American

Canton

No. 20.

Legation of the United States,
Canton 24th Dec. 1857.

Sir,

I have the honor to be in receipt of your communication of the 22d instant, from which I learn with satisfaction the arrival at Whampoa of the U.S.S.S. Marion, under your command, for the purpose of affording protection to American interests in this vicinity.

I shall not fail to give you early notice should any emergency arise demanding your interposition for the protection of the interests of the United States in this part of China, and am confident your assistance in such an event will be prompt & efficient.

Constant reinforcements of troops, from different districts tending to the scene of insurrection, and the extreme measures the Emperor is disposed to adopt, since that the authorities movements in Canton are a source of considerable solicitude to this Govern-

ment

ment. The tranquility of this province however depends upon the success or failure of the Imperial forces.

I am Sir,

I my Respectfully

Your Obedient Servant

Peter Parker

Wm. Henry Esq

Commander U.S.S. Marion

Hampton

No. 21 Copy

Canton December 16. 54.

Wm. C. Parker
Chargé d'Affaires
ad interim,
of the United States of America.

Sir,

We have a quantity of Ginseng at our packhouse (Comptè) which is becoming injured by damp. In order to preserve it we need a quantity of Sulphur for fumigation, and believing that the Chinese Authorities prohibit the sale of this in ordinary cases, we beg to request you to solicit for us permission to purchase one hundred catties of Sulphur, to be used at our packhouse (Comptè de Bean) for the purpose we have stated.

The article of Ginseng is a valuable one as you are aware - and you will confer a great favor by gaining for us the object we desire.

And we remain
With much respect
Your Ob.t Servants
(signed)
Oliphant & Co.

No. 22

Legation of the United States
Canton 16th Dec 1854

Sir.

The Undersigned Chargé d'Affaires, ad interim, of the United States of America to China, has received a representation from Messrs Oliphant & Co Merchants of the United States, stating that they have a quantity of Timber at their godowns Dumpte which is becoming injured by damp. In order to preserve it they need a quantity of Saltpetre for fumigation, and believing that the Chinese authorities prohibit the sale of this in ordinary cases, they beg the Undersigned to obtain for them permission to purchase one hundred catties of Saltpetre, to be used at the Dumpte godowns for the purpose which they have stated &c.

This coming before the Undersigned, he sees by annexed a finds that the article of Saltpetre is not particularly noted in the Treaty, but as it is understood to be an article under the special care of the Chinese government that it may not be used for improper purposes, as gunpowder &c, he addresses Your Excellencies and requests permit to the Messrs Oliphant & Co, to purchase one picul of Saltpetre for the object specified, and guarantees

Yours

H. E. Yeh Imperial High Commissioner &c &c &c
Yeh, Governor of Canton &c &c &c

Your Excellencies it shall be used for the specified object and no other.

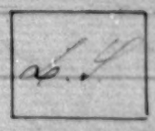
The Undersigned avails himself of this occasion to present Your Excellencies the compliments of the season, and has the honor to remain,

Sirs,

Your Excellencies

Obedient Servant

Peter Parker



No. 23

Copy.

United States Consulate Hong Kong
Oct. 31. 1851.

Sir.

I have to acknowledge the receipt of your Communication under date 15th ulto giving cover to Copy of a dispatch from the Hon Daniel Webster Secretary of State, in regard to tendering all lawful aid and assistance to the Subjects of Russia in China and the Sandwich Islands.

I am Sir respectfully
Your Obt. Servt.
(Signed) Henry Arthur Jr.
Vice Consul
U.S.A.

To the Hon. Peter Parker
&c &c &c
Chargé d'Affaires
for the United States of America
Canton.

No. 24.

House of the United States
Legation in China,
Canton 30th October 1851.

The Marriage of the Reverend John Booth French and Miss Mary L. H. Ball, citizens of the United States of America, has this day been duly so-=lemnized, by the Undersigned, at this Legation, agreeably to the usage of the Presbyterian Church of the United States of America.

Peter Parker.

John Dunnell
W. R. Mowat
R. Carlowitz
Wm. Kay
Wells Williams
W. Moore
Mary P. Hobson
H. V. Parker.

Witnesses.

No. 25.

Synopsis of Despatches No 23. 27th Dec. 1857.

No.			
	Macao.		
1	Governor of Macao to C. Parker notice of Emancipation	23	Nov. 1857.
2	C. Parker's Reply to the same	2	Dec "
	Amoy.		
3.	P.P. to Imperial Comr. notice of Fire Consul at Amoy	1	Nov "
4	Imp. Comr & Gov. of Canton's Answer to the same	10	" "
5.	C.M. Bradley Esq to C. Parker (No 42) Particulars &c.	14	" "
6.	Do Do (No. 43) Circular. Prices &c	14	" "
7	Imp. Comr & the Gov. to P.P. complaining of U.S. Consul & others visiting Chinese Vessels	11	Dec "
"	P.P.'s reply to the same	15	" "
	Shanghae		
9	Hon. M. A. Fitzwilliam to P.P. subject of Dues &c	20	Oct "
10	Do. correspondence "Piracies" & "Women."		July "
11	Do. regarding Flag of Boat	27	Nov "
12	P.P. & U.S. Reply to Despatches 21st Oct. & 27th Nov.	15	Dec "
	Naval Officers		
13	P.P. to Capt. W.L. Walker. Note of the resolution of detaining or seizing one of the vessels at the port of Canton.	2	Dec "
14.	P.P. to Capt Walker. visiting the Northern ports	4	" "
15	P.P. note to Local Authorities — Do	3	" "
16	Capt Walker to P.P. Saratoga at Whampoa.	7	" "
17	P.P. to Capt Walker. Extract from Mr Seviour's despatch of 29th Nov.	13	" "
18	Capt Walker to P.P. Saratoga to Shanghae	15	" "
19	Lt. M. Hanby to P.P. Maitland at Whampoa	22	" "
20	P.P to Lt. M. Hanby.	24	" "
	Local		
21.	Messrs Olyphant & Co to P.P. Salisbury	16	" "
22	P.P. to Imp. Comr & Gov. "	16	" "
23	H. Sutton U.S. Consul Hongkong. Pleasures	31	Oct "
24	Rev. Geo R. Mends's Marriage Certificate	30	" "

Rec'd 3d March.

Monroe, near Auburn, February 27, 1852

To W. S. Derricks Esquire
acting Secretary of State.

Sir:

I had the honor last evening to receive your letter of the 24th. instant offering me, by direction of the President, the Post of Commissioner to China.

I fully appreciate this flattering mark of confidence on the part of the President, & am by no means insensible to the kindness by which it must have been prompted. But after giving to the subject the respectful consideration it demands, I find myself constrained to decline the offer. I am of opinion that the compensation allowed for a service so distant, so multifarious & responsible, & demanding endowments of so high an order, is altogether inadequate. This circumstance added to others of a private nature with which it is intimately connected, constitutes the main ground of my decision.

I am, Sir, with great respect,
Your obedient Servant
Alfred Conkling

Recd 6. April.

done

Legation of the United States,

No 24 Original

Canton, 24th January 1852.

Hon. Daniel Webster

Secretary of State,

Sir,

I have the honor to transmit the Department the correspondence of this Legation since the date of my last despatch embracing enclosures Nos 1 to 17 inclusive.

Your attention is respectfully requested to the correspondence with Capt. W. M. Glendy of the United States Ship Marion (Vide Enclosures Nos 13, 14, 15, & 16) reffering at the same time to my correspondence with Capt. W. S. Walker, (Vide Enclosures No 13, 14, 16, 17, & 18 of Despatch No 23) and to the concluding paragraph of a despatch of J. N. A. Griswold Esqre of the 4th October last alluding to the "Marion's" visit to Shanghae (Vide my Despatch No 22 Enclosure No 5.)

I have not any personal acquaintance with Captain Glendy as he has never

afforded

afforded me an opportunity of making it since his arrival in China. Learning from others the excentricities of the man I have been particularly courteous towards him in my correspondence which however has not been altogether reciprocated. My communication to Captain Glendy of the 10th January 1851 (vide Despatch to the Depart. No 10. Enclosure No 3.) requesting him in compliance with the urgent wishes of our Consul at Amoy to visit that port, he neither acknowledged the receipt of, nor complied with the request, but proceeded at the time to Manila.

He seems most contented when at anchor in the Harbor of Hongkong, or in the Typa at Macao, and least of all at Whampoa. There is but one opinion among our Merchants here, so far as I am informed, and that is fully, of the expediency of the presence of a man of war at this port at the present crisis, especially as there are no urgent reasons to the contrary. I learn from officers of the Marion that she has already dropped down to the first bar, below Whampoa, ready to proceed to Macao.

I have deemed it my duty to request your attention to the course pursued by the Commander of the Marion and respectfully submit to your wisdom to decide what the public interests demand in the premises.

The Rebellion in China has attracted the attention of the European press, and I feel it incumbent upon me to keep the Department advised, so far as in my power, of its progress, but regret that the means of authentic and definite information are so unsatisfactory. An intelligent Chinese has this day furnished me with the following statement. "It is understood that the rebels of Kwang Se of late have become much more powerful than ever, rendering it impracticable for the Merchants to go and come by the different routs, and for the last fortnight there has been no positive intelligence of the war, although it is rumored that at the close of the last month (say 20th January) some 20,000 and more of the Government troops and volunteers were slain by the rebels, but none can say under what officiers those troops

troops were led, or at what place the battle was fought, and therefore it is not yet known whether this intelligence is true or not. His Excellency the Imperial Commissioner is still at the city of Kaou chow foo and dares not to lead out his troops, and the Rebels remain in the different villages and do not advance to attack the city. That the enemy are becoming more and more formidable I fully believe and as yet see no prospect of their being soon subdued

The Government has been active of late in collecting the sinews of war, by laying contributions upon various classes in this city and throughout the province, but not without opposition. It is reported that in the district of Singân in this province, the collector has been put to death by the people, and troops sent thither to preserve the peace.

In the court circular of yesterday, it is stated money that had been collected

ed

"collected in Nootih le sze a small place
"in the district of Iwan Yu, in its
"passage to Canton, has been taken by
"rebels to the amount of upwards of 3.000
"taels, and that the Iwan Yu magistrate
"had petitioned the High Officers to
"send send out a force of 300 and more
"volunteres, who have already proceed
"to make search and to manage the
"affair &c."

An extensive Armory has been recently erected, of a temporary character, in the suburbs of this City not far from the foreign residences.

By the next mail it will be my endeavor to furnish you some statistic of the emigration of Chinese to California.

The favorable reports of those who have returned to China, having been fortunate at the "Gold Mountain", seems to have imparted a new impetus to the tide of emigration, and it is estimated that within the twelve months ending 21st February next, not less than

5.000 Chinese

5,000 Chinese will have sailed for San Francisco. &c.

The three Despatches addressed to H. Trees Esq.r United States Consul Foo chow mentioned in Enclosure No 17 are herewith returned to the Department

With sentiments of esteem and high respect. I have the honor to remain,

Sir,

Your most obedient Servant

Peter Parker.

No. 1.

Copy

United States Consulate
Shanghae December 3rd 1851.

Sir,

I have the honor to enclose for your information and reference, Chinese Copy of H. E. the Taotae Woo's communication enacting certain Regulation for the better government of the Anchorage at this Port, and appointing Mr. Nicholas Bayles a Citizen of the United States, Harbour Master to superinted the mooring and unmooring of vessels. These Regulations being assented to by all the Foreign Consuls here except Chevr. Montigny Consul of France went into effect on the 24th of September, it being then understood, that that the fee of $ 10 was not made Compulsory by any legal recourse through either of the Consulates.

I am Sir

Your most obedient Servant
Robert Bennet Forbes

Hon'ble Peter Parker
Chargé d' Affaires ad interim of the
United States U. S. S. Canton

In its after working, it was found that some of the Masters of Vessels (Chiefly English) through private pique or dissatisfaction with the Harbour Master declined to pay the authorized fee, and thus destroyed his independence, and efficiency for General good.

This being represented by H. B. M's Consul to H. E. Sir George Bonham, British Superintendant of Trade, on his recent visit to this Port, at his suggestion and with his concurrence it was arranged through H. E. the Taotae that the Harbour Master's fee should be paid into the Government Banker and receipt for the same transmitted to the Taotae prior to granting the Port Clearance, thus rendering the fee compulsory upon all vessels, and leaving the independant Action of the Harbour Master.

To this arrangement I assented considering myself Authorized to do so under Commissioner Davis's Despatch of December

of December 30th 1848 replying to mine of December 11th on the subject of the appointment of a Harbour Master at this Port.

I also enclose Chinese Copy of the Toutae's Communication to me of the 22th Nov. proposing to make the fee payable at the Government Banker, and my Reply of the 27th of same month agreeing to the plan.

For further information I beg to refer you to the North China Herald's of September 27th, Oct. 4th 18th and November 29th numbers of which are herewith enclosed, in which Copies of all the Correspondences, and Circulars on the subject will be found printed.

I have the honor to be
Sir,
Your most Obedient Servant

Signed. T. N Alcock Grisnold

No. 2

Copy

Griswold by the Supreme executive Authority of the United States, Consul at Shanghae, makes this Communication to the Toutai Nos.

I have received your communication of the 24th inst. stating that difficulty had been experienced by the nearly appointed Harbour Master in collecting his Established fee of $10 upon Ships above 150 Tons, and proposing that the fee should hereafter be paid into the Government Bankers, with the regular duties, and a receipt for the same forwarded to you; prior to the granting of the Port Clearance; the Government Banker being instructed to settle the Account, and pay over the amount of the fees to Mr Bayliss once a month, or once a quarter as might be most agreeable to him.

In Reply I have to state that I see no objection to the proposed arrangement, and in Conjunction with my Colleagues have issued

issued a Circular informing Merchants, and Masters of Vessels that it will hereafter be necessary to pay the Harbour Masters fees to the Government Banker, before the Grand Chop can be granted

Signed- Jno N. Olsop Griswold
U. S Consul

United States Consulate
Shanghae 2d Novembr 1851

True Copy
J. Loureiro Jr

No 4.

Circular.

Shanghae, 24th September 1851.

It having been represented by the Foreign Mercantile Community resident at this place, as more particularly set forth in the annexed Circular Letter addressed to the Foreign Consuls at Shanghae, that a Harbour Master, and Port Regulations, were both much required for the purpose of insuring better order in the berthing and mooring of Ships, and preventing collisions; His Excellency the Intendant of Circuit and the Consuls of Great Britain, The United States, Denmark, Portugal, and the Netherlands, in communication together, agreeing in the expediency of both these measures, have accordingly selected Mr Nicholas Bayles as a fit and proper person to perform the duties of Harbour Master and appointed him to that office. The Annexed Port Regulations have also been issued under the Official Seal of the Taoutae, with the concurrence of the undersigned Consuls, and Notice is hereby given to the Mercantile Community and Masters of Ships, that these Regulations are in force from this date. The undersigned confidently anticipate the ready Co-operation of both Consignees and Masters of Vessels, to give full effect to measures, the main object of which is the protection

To the Foreign Community and the Masters of Foreign Vessels in the Anchorage of Shanghae.

protection of their interests and the prevention of injury to the Shipping.

(Signed) Rutherford Alcock,
H B M's Consul.
T. N A Griswold,
U S Consul.
D B Robertson,
H D M Consul.
T C Beale,
H M T M Consul and
Vice Consul of the Netherlands

No. 3.

Copy.

Shanghae, Aug: 11th 1851

To Rutherford Alcock Esquire
H B M's Consul.
T N A Griswold. Esquire
U. S. Consul
C de Montigny Esqre
French Consul.
T C Beale Esquire
H M T M & H M T M Consul
D Robertson Esquire
Danish Consul

Sirs,-

Frequent complaints having arisen regarding the crowded state of the Shipping in our Port, we deem it advisable that some steps should be taken to prevent the serious damage daily arising to vessels, and beg to suggest that some arrangements should be entered into with the Chinese Authorities for the appointment of a Harbour Master, for which office

which office we would bring to your notice and recommendation Mr Nicholas Bayles, whose experience in such matters is sufficiently known to us, and in the event of the Chinese Authorities appointing him as Harbour Master, we hereby engage to use our influence with all Captains of Vessels to our Consignment, to conform to such regulations as may eventually be determined upon. We remain, Sirs, your obedient Servants

(Signed) A.G. Dallas Dent Beale & Co Russell & Co Turner & Co Lindsay & Co Reiss & Co Hargreaves & Co Watson & Co J.M. Smith & Co Shaw Bland & Co Drom Gray & Co P.P. Nolcott, Bates & Co, Craven Wilson Blenkin Rawson & Co Sykes Schwabe & Co Bull, Nye & Co Augustine Heard & Co Rathbone Worthington & Co Mackenzie Brothers & Co Gilman Bowman & Co Sillars Brothers & Co Smith Kennedy & Co Gibb Livingston & Co Wetmore & Co

No. 5.

Port of Shanghae Regulations.

1 Boundaries. The Boundaries of the Anchorage for Foreign vessels shall be as follows:

To the North, a Straight line running directly East from the Southern Bank of the Woosungkeang (Soochow Creek) at low water mark, into the Stream of the Hwangpoo River.

To the South, a Straight line running directly East from the Northern Bank of the Yangkingpang Creek at low water mark, into the Stream of the Hwangpoo River.

Buoys will be placed at the Northern and Southern extremities of the Anchorage in order to establish the line of boundary, and it will be obligatory upon all vessels to anchor within the defined limits, and not on any account to pass so far on to the Eastern Bank of the River as to obstruct the general navigation.

A free passage moreover will be maintained along the Western Bank of the Stream to facilitate the passage of Cargo boats to and fro and the examination of goods, and to leave a fair way for the towing of the grain Junks up and down the River.

2 Harbour Master. A Harbour Master shall be appointed whose duty it is to berth all Foreign Ships arriving at the Anchorage at Shanghae, to superintend their mooring, and unmooring, and to take them safely out when ready to depart; for which Services a fee of Ten Dollars has been authorized as the charge for all

for all vessels above 150 tons. No Master of a vessel may shift its berth without the Harbour Master's Authority, and his directions as to mooring of vessels under every Flag without distinction are to be strictly followed. The Harbour Master for the time being shall enter into securities, for One Thousand Dollars to make good any damage which shall be proved to have been caused by either Carelessness or incompetence on his part

3. Gunpowder or Combustibles. - No vessel or boat under any Foreign Flag, and no Chinese Junk or boat having a Cargo of Gunpowder or other Combustibles on board, shall be permitted to Anchor Among the Foreign vessels or in their near vicinity, Ships of war, of course excepted.

4. - No Citizen or Subject of any Foreign State shall be allowed to open either Boarding or eating house for Sailors at the Port, without the express Authority of the Consular Representative to whom he may be intitled to apply, nor without good Security that such party shall give no harbor to any Seaman who is a deserter, or who Cannot produce his discharge accompanied by the written Sanction of the said Consul for his residence on shore. Every Boarding or eating house keeper will further be held responsible for the good Conduct of all who come to his house. It is understood that no Chinese Subject under any pretence whatever shall be permitted to open either Grog shop or Boarding

House

house for Foreign Sailors to drink, debauch and gamble in. They will not be restricted however from keeping shops for selling provisions and Sundries, or any other legitimate articles of Merchandize to the natives.

5 Discharge of Sailors:- No Sailor from a Foreign vessel can be discharged or left behind at this Port without the express sanction of the Consul reporting the vessel, nor until good and sufficient security shall have been given for his maintenance and good behaviour while remaining on Shore.

6- Future Modifications- Hereafter in all these matters determined upon in accordance with Treaty, should any Corrections be requisite, or should the meaning not be clear, the same must always be consulted upon and settled by the Intendant and the several Consuls in communication together.

True Translation,

Signed W. H. Medhurst

Interpreter.

A True Copy,

Fredc Howe Hale.

No. 6

United States Consulate
Shanghae December 10th 1851

Sir

I beg to inform you that during my absence from this Port, or pending the pleasure of the President of the United States, I have appointed Mr Edward Cunningham, Acting Vice Consul of the United States for the Port of Shanghae

Asking your attention to his Signature, to communication upon any necessary occasion

I have the honor to be
Sir
Very respectfully
Your obedient Servant
Signed Jno. N. Alsop Griswold

Signature of Mr Cunningham
Edw. Cunningham

Honble Peter Parker
Charge de affaires ad interim of
the United States &c &c &c
Canton.

No. 7.

Copy

Legation of the United States.

Canton 6th January 1852.

Sir,

The undersigned Charge d'affaires ad interim, of the United States of America to China, has the honor to inform your Excellency, that J. N. A. Griswold Esqr. Consul of the United States at Shanghae, having obtained the permission of his Government temporarely to return to the United States, Edward Cunningham Esqr. has been appointed acting Vice Consul in this absence.

As requisite the undersigned makes this communication, and avails himself of the opportunity to present your Excellency the assurance of his distinguished regards, and has the honor to remain,

Your Excellency's
most obedient Servant

Signed Peter Parker

To H. E.
Sen. Imperial High Commissioner
&c. &c. &c.

(L S)

No. 8.

Sen, Imperial High Commissioner &c. &c. &c. and Yëe, Governor of Canton &c. &c. &c. have the honor to acknowledge the receipt on the 8th instant of the Hon. Acting Commissioner's despatch of the (6th instant) from which we learn that John N. A Griswold Esqre the Consul at Shanghae having returned to the Unites States, that Edward Cunningham Esqre has been appointed Vice Consul which is evidently and certainly altogether proper, and we the Minister, and the Governor, as behoves us, will address the Taoutae of Shanghae, that he may examine and find accordingly As requisite we make this communication and avail ourselves of the occasion to present our compliments &c.

The foregoing is addressed to Peter Parker, Charge d'Affaires, ad interim, of the united States of America to China

Heen Fung. 1st Year 12th month 5th day.

(25th January 1852)

No. 9.

—Copy— Fuh Chau, 6th December 1851.

Revd Peter Parker M.D.

Secretary of Legation &c.

Dear Sir,

Yours of the 12th September reached me but recently, and I hasten to reply by the first opportunity

Long ere this I presume you have learned that I do not hold the commission of American Vice Consul at Fuh Chau. It is probable that the report arose from the following circumstance: During the stay of our company at Amoy, Dr Bradley learned that one of ladies of our number was to be married to Rev. M. C. White soon after her arrival at this place, and fearing that a legal difficulty might arise unless the ceremony was performed in the presence of an U.S. Officer requested me to accept of the appointment of Special V. Consul that I might be present upon the occasion and forward him an official certificate of the Marriage.

As the

As the proposition appeared perfectly correct I assented, rec.d the appt. and served upon the occasion.

As the Marriage notice which was sent HongKong attached to me as "Special V. C." I am at a loss to know why the Editor should make the statement to which you refered.

It has been intimated that the appointment was null and void. For the sake of the parties most deeply concerned I trust such is not the fact.

I regret to inform you of the existence of a matter of considerable embarassment to our Mission and which may prove the commencement of greater troubles.

Two months ago we rented a lot of ground near those at present occupied by us and made arrangements for the erection of a house for myself. When our workmen were about to take possession of the premises they were prevented by the threats of the villagers, who posted hand bills through the neighborhood warning all persons against entering our service. We at once called upon the officers and requested that

we might

we might be permitted to proceed without molestation, but upon frivolous pretexts we have thus for been prevented from coming out our plans and at present cannot forsee when a proclamation will be issued in our favor.

The first complaint was that formerly there stood upon one Corner of the ground a small temple and that the right of posession belonged to the people. But the temple had fallen into utter ruin and for years the land lord had an undisputed claim to it. Many other objection, only such as a Chinesman could bring, have at times been named, and I presume that unless we take a more decided course an endless series of the same kind will follow. We hope to terminate the difficulty without calling for the interference of the officers of our own Government; but if the case should assume such an aspect as to make such a course appear advisable we will at once address you upon the subject

With highst regards to your self and lady.

I am,

Respectfully Yours

Signed James Colder

I take this opportunity of informing you that complaints have been made by the Chinese Authorities of the violation of the established Regulation, respecting Citizens of the United States in their excursions to the distance of one day for going and returning. A Copy of a translation of the Communication of the Imperial Commissioner, and the Governor of Canton, under date of the 11th ultimo, is herewith enclosed.

Whether Their Excellencies are correct in saying that Chang Chow foo is beyond that limit from Amoy, I have not the means of Knowing. Without deciding that point, I must reiterate injuctions, in good faith to Conform to the established Regulation, applying alike to all the ports, and you will please see that the same be strictly adhered to by all our Citizens, without distinction, residing at Amoy.

I Am Sir.

Respectfully

Your obedient Servant.

Peter Parker.

No. 11

Copy

Yeu, Imperial High Commissioner &c &c &
and Yee, Governor of Canton &c &c &c have the
honor to acknowledge the receipt, on the 18th instant
of the Honorable Acting Commissioner's
despatch which we have perused and
fully understand.

We have examined the subject of Sulphur
and find that hitherto it has been rigorously,
by law, prohibited to the Chinese individually
to purchase and sell it.

The Merchants of your Hon nation desire
to use it for fumigating Ginseng and we
the Minister and the Governor, certainly do
not suspect they have other object in view;
but, seeing the individual purchase and
sale of Sulphur have been prohibited to
subjects of China, then the Foreigner should
be placed altogether upon the same footing,
and it is rather difficult to grant it.

As requisite we make this reply and avail
ourselves of the occasion to express to you our
kind regards.

The foregoing communication is addressed to
Peter Parker, Chargé d'Affaires ad interim, of
the United States of America to China.

Heen Fung 1st Year 11th Month. 13th day

(3rd January 1852)

No. 12.

Legation of the United States.
Canton 6th January 1852.

Messrs Olyphant & Co.
Canton.

Sirs

Your Communication of the 16th ultimo was duly received and the same day I addressed Their Excellencies Sen, and Yée, stating the circumstances of the case respecting Ginseng and the necessity for a quantity of Sulphur for its preservation, at the same time guaranteeing it should be used for no other than the object specified.

Herewith I enclose Their Excellencies' reply of the 3rd inst., in which they state that on legal ground it is impraticable to grant your reasonable request.

I would renew the application were there a prospect of its being of any avail, but I am apprehensive that the Chinese law, and the difficulties in the way of departing from it, in the present instance, are such that further correspondence will be

will be futile.

I have the honor to remain,

Sirs.

Very Respectfully

Yours Obedient Servant

Peter Parker

No. 13.

Copy

U. S. S. Marion

American Reach, Whampoa.

13th January 1852.

Sir,

I have the honor to place before you the information which has been conveyed by Mr Cox, Secretary of Legation at Rio de Janeiro, in a letter bearing date the 12th of September last that the Frigate Susquehanna, bearing the broad pennant of Commodore John H. Aulick, would sail from that place direct for China about the 20th of that Month.

The Commodore, prior to his departure from the U. S. addressed a letter to the Senior Officer on this Station directing the Squadron to be off Macao by the first of August last, unless the interests of the public Service demanded its presence elsewhere.

I have therefore to inform you, that in the expectation of the early arrival of the Flag Ship, it is my intention to proceed to the anchorage designated by the Commodore in the course of a few days, unless the presence of the Marion at her present Anchorage is considered

is considered indespensably necessary for the protection of American interests from any invasion on the part of the Rebels.

I am Sir

Very Respectfully

Your obedient Servant

Signed W M Glendy

Commr.

Hon Peter Parker

Charge d'affaires

ad interim

U. States America

Canton

No. 14.

Legation of the United States

Canton, 14th January 1852.

Sir,

I have the honor to be in receipt of your Communication of yesterday's date, informing me "that in the expectation of "the early arrival of the Flag Ship, it is "your intention to proceed to the Anchorage "designated by the Commodore in the "Course of a few days, unless the presence "of the Marion, at her present anchorage "is considered indispensably necessary "for the protection of American interests "from any invasion on the part of the "Rebels &c

In reply I have to state that this intimation is unexpected, particularly as this Legation was informed by Captn W. S. Walker, Senior officer, Commanding the East India Squadron, under date of the 15th ultimo, that he would "direct the Marion to proceed to Whampoa and to remain there until further orders." I have also to submit for your

Consideration

consideration, that in addition to the cogent reasons that have heretofore urged the expediency of the presence of a Government vessel at Whampoa at this juncture, it is now near the close of the Chinese year, when piracies upon the rivers, and robberies upon the land, are usually most rife; and still more, it is the period when destructive fires are very liable to occur in this City, and several of greater or less magnitude, have taken place. This, as you are aware, is a time of great drought, no rain, of consequence, having fallen the past six month. In this view alone, the presence of a man of war is particularly desirable, as in the event of a conflagration her aid may be essential to the life and property of the Citizens of the United States.

On receipt of intelligence of the arrival of Commodore John H Aulick at Macáo, with the prevailing Monsoon, the Marion can join the Flag ship in some twelve hours,

while

while days will be required for her to reach this Anchorage from Macáo Roads in any sudden emergency.

If in view of these Considerations you shall decide to remain with the Marion at her present Anchorage till after the Chinese new year, if no longer, it will be a source of satisfaction to your Countrymen here, and you will be justified for so doing by the proviso in Commodore Aulick's direction for the Squadron to be off Macao by 1st. of August last. viz. "Unless the interests of the public service demand its presence elsewhere."

I am Sir,

Very Respectfully

Your Obedient Servant

Signed Peter Parker.

Capt. W. H. Glendy.

U. S. S. Marion,

Whampoa.

No. 15

Copy

U S S Marion

American Reach, Whampoa

19th January 1852.

Sir,

I have the honor to acknowledge the receipt of your Despatch from Canton, dated the 15th January 1852, and have to regret that you have not answered the concluding Paragraph of my Communication of the 13th inst, and only referred to it by way of quotation.

A letter from the Commodore dated Point de Galle states that he expects to be at Macao by the first proximo. I shall therefore leave my present Anchorage on the 30th inst, for the purpose of Communicating personally with him and to obtain a supply of Salt provisions, When I shall take occasion to lay the Correspondence before him, and it will be for him to decide whether it is necessary for a Government Vessel to remain in the river for the reason you assign

I am Sir

Very Respectfully

Your Obt Servant

Signed W M Glendy

Comm

Hon Peter Parker

Chargé d'Affaires

U. States of America. Canton

No. 16.

Legation of the United States
Canton 21st January 1852

Sir,

Your note of the 19th instant came to hand this day, in which you express your regret that I did not answer the concluding paragraph of your communication of the 13th inst, and inform me that in consequence of a letter from the Commodore, stating he expects to be at Macao by the first Proximo, you will leave your present anchorage on the 30th instant. &c.

I hasten briefly to reply, and in so doing I now confirm my despatch of the 15th instant, deeming that a direct and unambiguous answer to the material point in the concluding paragraph of your communication of the 13th instant, your purpose to proceed to Macao.

You are in possession of the wishes and views of this Legation respecting the expediency, under existing circumstances,

of the

Capt. W. M. Glendy
United States Ship Marion
"Whampoa

of the presence of a man of war at this port,
views with which your Senior Officer,
Capt. W. S. Walker has fully concurred,
as well as your Countrymen here, generally.-
On you rests the responsability to the
Government of the United States of deciding
how far you will regard them.

I am Sir,
Very Respectfully
Your obedient Servant

Peter Parker

No. 17.

—Copy—

British Consulate.
Tsochawfoo, 10 January 1852

Sir,

I have the honor to enclose to you as the Chief Authority of the United States in this Country, three letters and one packet addressed to Henry Trees, Esquire, Consul of the United States, Tsochaw, China which I found deposited amongst papers connected with the Postal department of this Office upon taking over charge of the Consulate.

I have the honor to be
Sir,
Your most obedient
humble servant

/Signed/ J. J. Walker.

The Honorable
Peter Parker
Chargé d'Affaires ad interim
U. S. Legation
Canton

Rec'd. May. Mr Derrick.

Legation of the United States,

No 25 Original Canton, 21th February 1852.

Honable Daniel Webster

Secretary of State.

Sir.

Herewith I have the honor to transmit you for the Fifth Auditor my accounts Current.

1st. My account current as Secretary of Legation and Chinese Interpreter for 1851 (Endos. A.)

2nd Account Current for contingent Expences of this Legation for the year ending 21st February 1852. Amounting to $475 19/100 with Vouchers, Nos 15. (B.)

To one item extra. of $250 paid for an Agent to visit Formosa during the past year included in this account I beg to call your attentions.

The Department is in posession of the report of said agent (Vide: Despatch No 21 Sept. 26th 1851 Enclos. No 3) and of all the correspondence relative to foreigners wrecked upon that Island,

and the

and the grounds for apprehending Citizens of the United States, a considerable number of whom have been wrecked of late, might also be living in servitude there.

This Legation was appealed to by relatives of the Missing to take measures to ascertain whether they were there in exile or not, and if they were to rescue them. For reasons set forth in this Correspondence it was deemed expedient to send a Chinese Agent to Formosa to make careful investigation. A person peculiarly qualified for the mission was found, who at the peril of his life, faithfully discharged the duties assigned him, and I assumed the responsability of remunerating him to the above moderate amount, relying up the justice and willingness of our Government to reimburse it.

Regarding it as properly coming under the head of Contingent Expences of this Legation I have included it in the account current of the same, and respectfully ask that the same may be granted

be granted.

In submitting my account current for the past year, from which it will be seen that the difference between the Government rate of Exchange, viz: $4 80/100 to £ stg and the current rate in Canton. gives a loss of $362 64/100, permit me respectfully to repeat the inquiry, (made a year since in Despatch № 12. February 25th 1851), whether there be any remedy for such losses and how compensation is to be obtained?

I have the honor to remain with great respect,

Sir,

Your most obedient Servant.

Peter Parker